

## **What is the process if I want a public shade tree trimmed or removed?**

**Application:** If the tree is along the roadway contact the Department of Public Works to obtain an application.

You will need to submit the following:

- Required Contact Information
- Address of the tree being requested, along with sufficient detail to identify the specific tree. A ribbon can be obtained from the office to be tied around the tree for identification.
- An explanation of why you feel the tree should be trimmed and/or removed.
- Photos of the tree and surrounding area, if possible.

After the application is completed, the tree will be investigated to determine if it is within the public right of way. Following the investigation, a completed form will be returned to you with a determination of ownership and a condition report of the tree.

If the tree is outside of the public right of way, the property owner may remove the tree at their own cost.

If the tree is found to be within the public right of way, it will be added to the next public tree hearing (scheduled in April and October).

The tree will be tagged, indicating the date, time and location of the public hearing. You may be present to answer questions, particularly if you are requesting to remove a healthy tree. The Tree Warden will make recommendation to the Board of Public Works to remove, trim or leave the tree in place.

If the tree is located on property owned by the Town, you should contact the Department that oversees the property.

If a healthy tree removal is authorized, the Board reserves the right to require the applicant to pay for the removal of the tree or to replant trees in the area at the Town's direction as replacements, or give a donation tree to the Town.

If you have any questions, please contact the Department of Public Works at **508-695-9621**, or visit us at our main offices at:

**49 Whiting Street  
North Attleborough, MA 02760**

You may download and print a copy of the Tree Removal/Trimming request form from the Department's website at:

<http://www.nattleboro.com/department-of-public-works/pages/forms>

To see your property on the Town's mapping program visit the following website:

<http://www.mapgeo.com/NorthAttleboroughMA>

*A Resident's Guide to*

# Public Shade Tree Laws in North Attleborough



Town of  
**North Attleborough**

BOARD OF PUBLIC WORKS  
Serving North Attleborough — Protecting the Environment



**Telephone: (508) 695-9621**

**[www.north-attleboro.ma.us](http://www.north-attleboro.ma.us)**

# A Resident's Guide to Public Shade Tree Laws in North Attleborough

## Public Shade Tree Law

The first version of Public Shade Tree Law was enacted in 1899 in Massachusetts. All trees within a public way or on the boundaries thereof shall be public shade trees. Trees that are on properties owned by the Town, but are on along the Right of Way of a road, are not considered Public Shade Trees and do not require a hearing.

## What are the limits of the Public Right of Way?

The Public Right of Way typically extends beyond the 24'-30' of paved road surface and sometimes beyond the back of sidewalks. Road layouts are typically 40' wide, but can vary greatly. Residents can use the Town's online Map Program to get a better idea of the locations of property lines or if there is a question of ownership, fill out a request form available from the Department of Public Works.

## Trimming or Removal of Public Shade Tree

Public shade trees shall not be cut, trimmed or removed, in whole or part, by any person other than the Department of Public Works Highway Department, except upon permission from the Tree Warden after a hearing under C. 87 § 3.

If someone objects in writing to the cutting or removal of a tree at or before a hearing, it may not be removed unless cutting or removal is also approved by the Board of Public Works.

Public Shade Trees located on scenic roads, must also receive approval of the Planning Board for Removal.

## Removal of Dangerous Trees

The Department of Public Works, but no other person, may without a hearing trim, cut down, or remove trees, less than one and one half inches in diameter in the public way and any other trees ordered by the Board of Public Works that obstruct or endanger traveling persons.

## Violations

Violation of the Public Shade Tree Law shall be punished by a fine not to exceed \$500 dollars.

## Planting Public Shade Trees

No tree shall be planted in the public way without the approval of the Board of Public Works

With written approval of the Board of Public Works, Public Shade Trees may be planted as far as 20 feet from the public way with the written consent of the land owner.

## Trees Along State Highways

MassDOT shall have care and control of all trees within state highways. No such tree shall be cut or removed without a permit from MassDOT.

## Signs or Marks on Public Shade Trees

Whoever affixes to a tree a notice, sign, advertisement or other thing, or cuts, paints or marks such tree, except for the purpose of protecting it or the public under a written permit shall be punished by a fine of not more than \$50.

## Injury to Other Trees

Whoever without authority cuts, removes, or maliciously injures a tree on a state highway or maliciously destroys or injures, or causes to be destroyed or injured, trees of another person, shall be punished by imprisonment for not more than six months or by a fine of not more than \$500.



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**Public Works Online**

<http://www.nattleboro.com/department-of-public-works/>