



# Guide to Local Tree Bylaws for Communities in Massachusetts

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Urban and Community Forestry Program  
Bureau of Forest Fire Control and Forestry  
Massachusetts Department of Conservation and Recreation  
[www.mass.gov/dcr/ucf](http://www.mass.gov/dcr/ucf)

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## Contents

Introduction .....	4
Using this Guide .....	4
What is a Bylaw or Ordinance? .....	5
Why a Local Ordinance or Bylaw?.....	5
Types of Bylaws and Ordinances .....	6
Functions of a Local Tree Ordinance.....	6
Sections of a Local Tree Ordinance.....	7
Title .....	7
Purpose .....	7
Definitions.....	8
Jurisdiction .....	8
Administrative Responsibilities.....	8
Provisions for the Management of Public Shade Trees:.....	8
Planting .....	9
Setback Trees .....	9
Maintenance .....	9
Protection .....	10
Removal of Public Shade Trees.....	10
Control of Nuisance Trees and Trees Infested with a Pest or Pathogen .....	11
Private Trees that Endanger the Public or Public Property .....	12
Public Trees that Endanger the Public or Public Property .....	12
Appeals.....	12
Penalties.....	13
Severability.....	13
Other Sections:.....	13
Resources .....	14
Sample Definitions .....	15
Sample Outline.....	17

## Introduction

In Massachusetts, we are fortunate to have a relatively long history of public shade tree protection. Chapter 190 of the Acts of 1896 enumerated the powers of tree wardens and authorized communities to provide for the election of tree wardens. This early act included provisions protecting public shade trees, including disallowing the cutting of, removal of, or injury to public shade trees, requiring a tree hearing be held prior to removal, and other elements that are still in the current law. By 1899 (Chapter 330, Acts of 1899), the law required towns and cities to have tree wardens, something we still see in the law today. [For an overview of the history of tree protection in Massachusetts, see *The Centennial Year 1913-2013*, Massachusetts Tree Wardens' and Foresters' Association.]

We can be proud of this legacy and proud of having the statewide tree protection that the current law, Chapter 87, Mass. General Laws, affords. If you are not familiar with Chapter 87, it consists of 14 sections defining public shade trees, the powers of tree wardens, the cutting and removal of public shade trees, penalties, planting, trees on roads managed by the state, affixing signs to trees, and provisions for working with utilities conducting vegetation management. It is available online at the [Massachusetts Legislature website](#). Every city and town in Massachusetts has an opportunity to strengthen Chapter 87, to tailor laws to conditions in their community by passing a local tree bylaw (towns) or ordinance (cities). A local bylaw or ordinance can strengthen tree protection in communities and help spread the message that your community values the important and critical services that trees provide.

## Using this Guide

This guide is intended to assist communities in Massachusetts embarking on the process of developing a local tree bylaw or ordinance. It can also be used to review an existing one. We have taken examples from bylaws and ordinances in Massachusetts and guidelines from the [International Society of Arboriculture and other sources](#), and brought them together to provide relevant examples and advice for communities in the Commonwealth. This guide is not intended to be construed as legal advice. Municipal legal staff should be consulted throughout the development of a local bylaw or ordinance.

There is no “one size fits all” approach to adopting a local tree bylaw or ordinance. A successful bylaw or ordinance will be specific to a community and should reflect the goals and values of the community. Some proposed language or concepts in this guide may not be appropriate for every community. Instead, they may serve as a starting point for adapting and modifying concepts laid out in this document.

## What is a Bylaw or Ordinance?

Bylaws and ordinances are laws that towns and cities have adopted regarding administration of a community, general matters (e.g., dogs, garbage, trees, wetlands, etc.), zoning, and other issues. Bylaws apply to towns, while ordinances apply to cities, though often the terms are used interchangeably and have the same general meaning. For the sake of reading clarity, in this document, we will use the terms interchangeably. Article 89 of the Massachusetts Constitution grants municipalities the authority to, among other things, adopt bylaws and ordinances to govern activities within municipal boundaries, as long as they are consistent with state law and the state constitution. The attorney general's office (and possibly other agencies, depending on the bylaw), reviews and approves bylaws. The attorney general's office does not review ordinances or regulations passed by cities.

In contrast, some communities have policies regarding public shade tree management. These may be in addition to, or in place of, a formal bylaw. A policy states principles and, perhaps, specific processes that a tree warden or tree program carries out. Sometimes policies are formally adopted or are otherwise implemented in a community. As a result, they are easier to change than an ordinance, but may also be harder to enforce and can be more susceptible to being challenged. For this reason, we recommend developing a formal tree bylaw for your community. Ideally, a community would have a local bylaw that also references policies or regulations, since not everything can or should be enumerated in the bylaw. Note that Chapter 87, Section 2 authorizes tree wardens to create regulations. If the select board approves the regulations, they have the effect of a bylaw.

## Why a Local Ordinance or Bylaw?

A local ordinance can help a community achieve its urban forestry goals, whether those are establishing a tree committee, preserving trees during construction projects, protecting significant trees, requiring tree planting in certain situations, or others. It is not uncommon for rules regarding trees to appear in various sections of municipal code. Tree planting for development projects may appear in planning rules or subdivision regulations, and requirements for tree buffers may appear in zoning rules. Sometimes local rules related to trees may be scattered throughout municipal code. Other times, rules may be lacking entirely. Going through the process of developing a local tree ordinance can unify these provisions and ensure that rules related to trees are straightforward and compatible with the goals of the community.

Like many processes, such as developing an urban forest management plan or conducting a tree inventory, the process of creating a local tree ordinance begins with some soul-searching and information-gathering. What are the goals of the community? What are the needs? What are the issues that a tree ordinance could clarify? What resources does the community currently have?

In Massachusetts, it is often a tree committee that starts the process of developing a tree ordinance, but it can also be initiated by the tree warden or others. It is a process that takes dedicated people to see the project through, as it can take many months - to years - to complete. The group may include the tree committee, tree warden, representatives from other municipal departments, and community members. Other stakeholders should be involved, as well, particularly underrepresented groups or individuals.

Many communities in Massachusetts have tree bylaws or ordinances. A community interested in creating their own does not have to start from scratch. Many ordinances are listed on our [website](#), and communities can start there to see what elements may be applicable locally.

Legal consultation, as it relates to municipal law, is a must. It is important to consult with legal staff from the municipality throughout the bylaw or ordinance development process.

## Types of Bylaws and Ordinances

There are a few different types of bylaws. These four types are from the International Society of Arboriculture, in their [Guidelines for Developing and Evaluating Tree Ordinances](#) and the American Forests Tree Protection Toolkit:

- **Street tree ordinances** primarily cover the planting and removal of trees within public rights-of-way. They often contain provisions governing maintenance or removal of private trees which pose an unacceptable level of risk to the traveling public.
- **Tree protection** ordinances are primarily directed at providing protection for native trees, trees with historical significance, or trees over a certain trunk diameter. They usually require that a permit be obtained before protected trees can be removed, encroached upon, or in some cases, pruned. Some tree protection ordinances may disallow their removal.
- **View ordinances** are designed to help resolve conflicts between property owners that result when trees block views or sunlight. This type of ordinance is often part of a zoning ordinance.
- **Landscape Ordinance** – These establish required landscaping provisions, such as the placement and number of trees planted, types of suitable plants or trees, and more. This type of ordinance may require trees in parking lots or other sites. This type of ordinance is often found in zoning ordinances.

In Massachusetts, there are a variety of tree ordinances and bylaws and sometimes they combine elements from the types listed above. Some contain tree planting guidelines, pruning guidelines, tree replacement, policies for removal of trees, and provisions for establishment of tree committees. Others contain provisions for protecting trees on private property during construction or for protecting significant trees on private property. These existing ordinances offer a great opportunity to see what other communities have adopted, but it is important not to simply replicate another ordinance that may not be appropriate for the specific goals of a different community.

## Functions of a Local Tree Ordinance

- Establish goals for urban and community forestry in the municipality
- Establish and define authority over public trees
- Institute performance standards for planting, maintenance (such as pruning), protection, and removal
- Establish a process for managing trees infested by a recognized tree pest
- Define nuisance conditions for trees
- Address enforcement, fees, appeals, and fines

## Sections of a Local Tree Ordinance

**Title:** The title should be brief and descriptive.

Tree Protection Ordinance of the City of Cambridge

Regulations for Protection and Preservation of Public Shade Trees during Construction (*Town of Belmont*)

Fall River Tree Ordinance

**Purpose:** The purpose can lay the foundation for the ordinance and establish the goals and objectives for the ordinance.

The purpose of this bylaw is to promote a diverse, healthy and sustainable community forest in order to provide for the general welfare of Orleans' citizens. Public trees define public spaces and create a civic identity. This bylaw protects public trees located on public rights of way from removal or preventable damage. (*Town of Orleans*)

It is the expressed policy of the Town of Barnstable to enhance the appearance of the Town by beautifying roadways and public property with shade trees and, in so doing, improve property values and the economy. The Town has invested substantial resources to plant and maintain trees, and these trees belong to the citizens of the Town. The Town also recognizes the need for a highly reliable network of public utilities to supply businesses, homes, hospitals, and other services, in an area subject to frequent storms and high winds. (*Town of Barnstable*)

Some purpose sections also include information about the benefits of trees and the urban forest. This information may also appear in a "Findings" section preceding Purpose, but can also be combined with the Purpose section.

Statement of Purpose. The City Council hereby finds that the preservation of existing trees and the promotion of new tree planting is a public purpose that protects the public health, welfare, environment and aesthetics of the City of Cambridge and its citizens. The urban forest serves a wide variety of functions, which promote the health, safety and welfare of residents. These functions include:

- (a) conserving energy, by providing shade and evaporative cooling through transpiration;
- (b) improving local and global air quality by absorbing carbon dioxide and ozone, absorbing particulate matter, and producing oxygen;
- (c) reducing wind speed and directing air flow;
- (d) reducing noise pollution;
- (e) providing habitat for birds, small mammals, and other wildlife;
- (f) reducing storm runoff and the potential for soil erosion;
- (g) increasing real property values; and

(h) enhancing visual and aesthetic qualities that attract visitors and businesses.  
*(City of Cambridge)*

**Definitions:** Mass. General Laws Chapter 87 does not provide definitions of some key terms. Doing so in a local tree ordinance will help ensure that there is no ambiguity in terms and will enable the adequate enforcement of the ordinance. The definitions section can develop as a community creates the ordinance and finds the need to define certain terms. At a minimum, terms like public shade tree, diameter at breast height (DBH), critical root zone, tree removal, public right-of-way, and tree warden should be defined. See [Sample Definitions](#) at the end of this document.

**Jurisdiction:** Mass. General Laws Chapter 41 requires towns and cities to have a tree warden, and Chapter 87 assigns this person the responsibility for managing shade trees along public ways. This section should assign that jurisdiction to a tree warden or describe an alternate process compatible with state law. In some communities the tree warden oversees trees in parks at the request of park commissioners. This jurisdiction can be laid out here.

**Administrative Responsibilities:** This section designates authority to enact and enforce the bylaw or ordinance. Will the tree warden be responsible for overseeing the provisions of the ordinance? Additionally, in this section, or in a separate section, provisions for a tree committee can be stated. If a tree committee is established, details can be outlined here, including terms of office, compensation, duties and responsibilities, operations, and policies.

There is hereby created a Public Shade Tree Management Advisory Board which shall serve in an advisory capacity to the Tree Warden on all matters pertaining to tree and landscape planning and maintenance of shade and other public trees in the Town of Grafton. The Board shall review the Annual Work plan for tree maintenance, planting, and removal prior to its implementation. The Board shall consist of six members, appointed by the Board of Selectmen, to be composed of the following: the Tree Warden who shall be an ex-officio non-voting member, one member of the historical commission, two members of the "green industry"; i.e., landscaping, arborists, etc., and two members at large. Board members will serve 3-year terms with appointments to be staggered to ensure board continuity. Board actions shall be governed by Article 7, Section 7-9 of Town Charter. *(Town of Grafton)*

**Provisions for the Management of Public Shade Trees:** This section should contain the general principles and standards that will guide shade tree management in the community. Basic provisions for planting, protecting, maintaining, and removing public shade trees should be included, as well as provisions for protecting public shade trees from construction. Designations for significant trees on public or private property could also be included in this section. This section could also address trees infested with a pest or pathogen, though that could also be in its own section.

The specific details related to provisions in this section should be outlined in an appendix or in policies maintained by the tree warden. For example, rather than include an approved species list for planting in the ordinance, the ordinance could state that "The tree warden will maintain an approved list of tree species for planting public shade trees." This will allow for flexibility as conditions change.



## Planting

Does the community have specifications for planting, such as minimum distance guidelines to intersections, road signs, buildings, etc.? Does the community not plant certain species, such as ash (for emerald ash borer) or red maple (because they are overplanted)? Does the community have a procedure for selecting nursery stock? Is there a way for residents to request a public tree be planted in front of their property? These can be mentioned here, but the specific details would be better in an appendix or in policies maintained by the tree warden.

All trees on public property will be planted as specified in the ANSI A300 Standard. Trees planted on private property, paid for by the town, shall also be planted per the ANSI A300 Standard. Tree species will be chosen from Appendix C. *(Town of Greenfield)*

Planting of trees by citizens is allowed in the tree belt after securing a Tree Planting Permit. Following are guidelines to a successful Tree Planting Permit application. [...] *(Town of Greenfield)*

## Setback Trees

Chapter 87, Section 7, allows the planting of public shade trees on private property up to 20 feet from the edge of the right-of-way with the written consent of the property owner. These trees are often referred to as “setback trees” since they are planted in the area “set back” from the right-of-way. Chapter 87, section 1, states that trees, including those planted under section 7, are public shade trees, but in practice, there is confusion as to who is responsible for the tree. Upon planting in the setback area does the municipality retain responsibility for the tree or trees in perpetuity? For a specified period of time? Lay out provisions for setback trees in this section. Will the municipality require a change to the property owner’s deed to reflect the addition of a public tree? For this reason, some communities partner with a non-profit organization to plant trees with private funds in the setback area.

## Maintenance

What are the standards for tree maintenance activities? Rather than including a lot of technical information in this section, when discussing tree management practices, it is helpful to refer to published standards, such as the ANSI A300. Because those standards are updated periodically, referring to them by name in the ordinance will ensure that the ordinance captures best practices now and in the future.

[...] The Tree Warden shall make every effort to repair and maintain shade trees prior to their removal in accordance with ANSI Standard A300 most current edition. *(Town of Grafton)*

## Protection

Are there policies specific to your community that define actions that may harm trees (such as topping)? These may be in addition to practices prohibited in Chapter 87, Section 9.

**Tree Topping** - It shall be unlawful as a normal practice for any person, firm, or town department to top any Street Tree, Park Tree, or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. However, trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning, practices are impractical may be exempted from this ordinance at the determination of the Tree Board. (*City of Amesbury*)

**Prohibited Activities** - It shall be a violation of the provisions of this chapter for any person to abuse, mutilate, or destroy any tree on public property or to attach any wire, rope (except for supporting a broken tree or young sapling) sign, poster, and vending machine, or allow any gaseous, liquid, or solid substance which is harmful to such trees to come in contact with their roots, trunks, or leaves. Also, no person and/or public agency shall cause or allow any wire charged with electricity to be placed or attached to any tree without first obtaining permission from the Board of Park Commissioners in conjunction with the Urban Tree Commission and the Tree Warden. (*City of Fall River*)

## Removal of Public Shade Trees

Mass. General Law, Chapter 87, requires a hearing be held to remove public shade trees, though section 3 contains four exemptions to this requirement: trees that “obstruct, endanger, hinder or incommode persons traveling” on public ways; trees that “obstruct buildings being moved;” trees that must be removed to widen a road; or trees that harbor pests declared public nuisances, like Dutch elm disease, and are to be removed to suppress the nuisance. Additionally, under Chapter 87, section 14, there are additional exemptions. Utilities may (or at the request of the tree warden, must) submit an annual vegetation management plan describing maintenance work and/or hazard tree removal plan, describing tree removal work to be performed. Upon approval by the tree warden, the tree warden’s designee, or the select board, mayor, or chief administrative officer of the municipality, work performed under such plans would also be exempt from the hearing requirements of sections 3 and 5.

For removal of all other trees, Chapter 87 requires a hearing and describes the process by which these trees are to be posted and how notice of the hearing is given. It is up to the municipality, however, to decide if and how it should be compensated for the removal of a public shade tree whose removal was approved through the appropriate process.

For example, a resident requests the removal of a public shade tree in front of their property. The tree warden has the authority to assess the tree to determine whether the tree falls under one of the exemptions from the hearing requirement. If the tree warden finds that the tree is not exempt, then the municipality follows the process in Chapter 87, holds a hearing, and approves the request

(or not). This section outlines, not only the process for requesting the removal and the removal itself, if approved, but also whether and how the property owner compensates the community for the removal and for the loss of the tree.

Some municipalities establish a tree fund that property owners must pay into when removing a public shade tree. Often the amount of money required is determined through a formula based on the diameter of the tree. Some communities use a lower rate for trees under a certain diameter and a higher rate for larger trees. Other communities require that a replacement tree (or trees) be planted to compensate. Some communities lay out this process as a policy, like Amherst, or in an ordinance, like Chicopee. Chicopee, MA, has a section dedicated to this particular action.

The policy of the tree warden for removal of healthy public shade trees requires an inch per inch replacement value based on \$90 per inch Diameter at Breast Height (DBH) of tree removed. (*Town of Amherst*)

A. Trees on public property belong to all residents of Chicopee and provide a service that benefits all residents of Chicopee and may be assigned a monetary value. The first priority of the City is to preserve and protect all trees on City property. Any decision allowing the removal of a healthy public shade tree will provide for equitable replacement to ensure the residents of Chicopee the continuing aesthetic, environmental and economic benefit of that tree. Any tree that is designated a protected tree will not be removed under this process.

B. The Tree Warden may consider the removal and subsequent replacement of a healthy tree subject to the following: (1) Petitions for the removal and replacement of trees shall be filed with the Tree Warden and acted upon by the Tree Warden and the Planning Board in a public hearing as provided by MGL c. 87. (2) Petitions for the removal and tree replacement must demonstrate that the removal and replacement of a tree will be of greater benefit to the inhabitants of the City than the existing tree. (3) Trees that are removed in accordance with this § 257-7 must be replaced in accordance with the following schedule: Size of Tree Removed Replacement Required Less than 12" diameter: 1 tree; Greater than 12" diameter: 2 trees [...] (*City of Chicopee*)

A note on language: Be consistent in the language used to describe “healthy tree” or “high-risk” trees. If using the term “healthy tree,” for example, to refer to trees that are subject to provisions of the tree hearing process, define “healthy tree” in the definitions section and use consistent language in the ordinance. These trees may also be referred to as “non-exempt,” (i.e., they are not exempt from a tree hearing).

### **Control of Nuisance Trees and Trees Infested with a Pest or Pathogen**

Forest pests and diseases threaten the safety of our urban forests, and a section in the ordinance can facilitate inspection, removal, and abatement of nuisance trees. A nuisance tree may also include a tree on private property that poses an unacceptable level of risk and threatens public property or persons in the public way. Emerald ash borer is one nuisance insect that may lead to nuisance trees such as this. It would be in the interests of communities to plan for potential problems this insect (and other insects, diseases, and conditions) can cause when trees on private property die and endanger the public way.

Note, that tree wardens already have the authority to address trees infested with pests and diseases declared to be public nuisances under Chapter 87, section 5.

### **Private Trees that Endanger the Public or Public Property**

This section can address private trees that endanger the public or public property. Note, that tree wardens already have the authority to address these trees under Chapter 87, section 5. This may include trees that are dead, decayed, or infested. In some instances, the trees may require removal, and, in others, risk can be mitigated by pruning. Who bears the cost for removal or mitigation work? The policies for addressing these nuisance trees can be laid out in this section.

The maintenance of any tree which is so diseased, decayed or infested with insects as to render the tree a hazard to the health and safety of any person or to public trees is declared to be a nuisance which may be abated as set forth herein. (b) The director of lands and natural resources shall have the right to enter upon any lands upon receipt of a written complaint to determine the condition of any tree located thereon. In the event that the director shall determine that maintenance of the tree or trees shall constitute a hazard to the health and safety of any person or is in such condition as to constitute a threat to other trees within the city, he or she may issue a written order to the property owner to remove said tree or trees. The order shall specify the reason the tree or trees are to be removed and a time for compliance which shall not be less than 14 days from the date of issuance of the order. If within 14 days of the date of issuance of the order, the property owner files a written request for a hearing with the director of lands and natural resources, the director shall set a time and place for hearing to determine whether or not the removal order shall be sustained. The director shall issue a written decision upon completion of the hearing which decision shall be final. In the event that the property owner does not, within 14 days of issuance of the order to remove the tree or trees or within 14 days of the issuance of a decision sustaining an initial order, whichever comes later, remove the tree or trees, the City may do so and may charge the reasonable costs incurred in such removal to the property owner to be recovered in an action at law instituted on the City's behalf by the director. (*City of Westfield*)

### **Public Trees that Endanger the Public or Public Property**

Does the municipality have a policy for addressing hazardous or nuisance trees that are public trees? Chapter 87 states that a hearing is not required for trees that the tree warden has deemed "to obstruct, endanger, hinder or incommode persons traveling" (as well as the other exempted categories listed above) but it does not define what constitutes any of those situations. Municipalities would benefit from a more formal definition. This may also include trees infested with insects or disease.

**Appeals:** This section outlines the process for appealing a decision the tree warden has made, including what types of decisions can be appealed.

Appeal - Any person who receives any order under this by-law from the Tree Warden and objects to all or any part thereof shall have the right to appeal such order. The Board of Selectmen shall

hear such appeal within 30 days of receipt of written notice of the appeal. The Board of Selectmen shall by letter notify the party appealing the order of its decision within ten days after the hearing closes and file written decision with the Town Clerk. *(Town of Grafton)*

**Penalties:** This section should contain specific penalties for violations and the entity responsible for levying penalties.

**Severability** This section states that if any portion of the ordinance is found invalid in court, the rest of the ordinance will remain valid.

If any section, paragraph or part of this by-law is for any reason declared invalid or unconstitutional by any court, every other section, paragraph and part shall continue in full force. *(Town of Lexington)*

**Other Sections:** A community may find other sections useful, such as findings, a section for evaluating the performance of the ordinance, interference with tree management activities, and policies. Some communities may wish to require that companies hired to plant, prune, or remove trees on public property meet certain standards, such as having a certified arborist perform the work.

To protect the public, the Board of Park Commissioners, in conjunction with the Urban Tree Commission and the Tree Warden, shall require any person who plants, maintains, prunes, cares for, or removes trees on public property as a business to:

- A. Obtain worker's compensation insurance to the extent required by Massachusetts General Laws.
- B. Obtain public liability and property damage insurance in an amount as determined by the City to cover and save harmless the City and its agents from all suits, claims, or actions of every class and nature, or on persons or property damage caused by or claimed to be caused, directly or indirectly, by the conduct of the work.
- C. Have on its staff an arborist certified by the Massachusetts Arborists Association or The International Society of Arboriculture, or qualified by the Massachusetts Tree Wardens' and Foresters' Association. This arborist must oversee all contract work and certify that all the work complies with the Fall River Tree Administrative Guidelines. *(Based on the City of Fall River)*

All work on Town trees shall be supervised in the field by an attending Massachusetts certified arborist, who shall be responsible for the work performed, and shall maintain regular contact with the Town's Tree Warden. Both the contractor and the utility shall be responsible for ensuring that the bucket operators are trained and knowledgeable of the standards of this chapter, including the ANSI Z-133 Safety Standard and ANSI A300 pruning standards. *(Based on the Town of Barnstable)*

A community may wish to include language about creating rules and regulations related to the bylaw or ordinance. Note that Chapter 87, section 2, authorizes the tree warden to create regulations. Under this

section, these regulations have the effect of town bylaws when they are approved by the select board. Regulations can typically be revised after a simple public hearing. Changes to bylaws or ordinances have to be approved by town meeting or by city council. Arboriculture and urban forestry is an evolving practice and the ability to make changes is important.

The Select Board may promulgate, after public notice and hearing, rules and regulations to effectuate the purposes and intent of this by-law. Failure by the Select Board to promulgate such rules and regulations shall not act to suspend or invalidate the effect of this by-law. *(Based on the Town of Lexington)*

## Resources

There are several resources available about the process of drafting a tree ordinance:

American Public Works Association: Ordinances, Regulations, & Public Policies

<http://www2.apwa.net/Documents/About/CoopAgreements/UrbanForestry/UrbanForestry-3.pdf>

International Society of Arboriculture: Guidelines for Developing and Evaluating Tree Ordinances

<https://www.isa-arbor.com/education/onlineresources/treeordinanceguidelines>

Developing Successful Tree Ordinances, North Carolina State University

<http://content.ces.ncsu.edu/developing-successful-tree-ordinances.pdf>

Pennsylvania Land Trust Association

<http://conservationtools.org/guides/show/37-Tree-Ordinance>

Tree City USA Bulletin #9 “How to Write a Municipal Tree Ordinance.” James R. Fazio, ed.

<https://www.arboday.org/trees/bulletins/>

Listing of Tree Ordinances in Massachusetts

<https://www.mass.gov/lists/picks-and-shovels-urban-and-community-forestry-resources>

Listing of all City and Town Bylaws and Ordinances in Massachusetts

<https://www.mass.gov/guides/massachusetts-city-and-town-ordinances-and-bylaws>

DCR Urban and Community Forestry Staff

[www.mass.gov/dcr/ucf](http://www.mass.gov/dcr/ucf)

## Sample Definitions

**Caliper** – Diameter of a tree trunk (in inches) measured six inches above the ground for trees up to and including four-inch diameter, and 12 inches above the ground for larger trees. (*Town of Lexington*)

**Certified Arborist** – An arborist certified by the Massachusetts Arborists' Association or the International Society of Arboriculture, or any successor of either organization. (*City of Cambridge*)

**Critical Root Zone (CRZ)** – The minimum area beneath the canopy of a tree which must be left undisturbed in order to preserve a sufficient root mass to give a tree a reasonable chance of survival. The CRZ is represented by a concentric circle centering on the tree's trunk and extending outward towards the tree's dripline. The minimum area of the CRZ shall be dependent on the required minimum radius of the CRZ; the required minimum radius of the CRZ shall be determined by multiplying a tree's DBH (in inches) by eighteen (18) inches, with the resulting product constituting the minimum radius of the CRZ. EXAMPLE: A tree with a DBH of twenty (20) inches shall have a CRZ with a minimum radius of 360 inches or 30 feet (20" x 18" = 360" or 30'). (*Town of Wellesley*)

**Diameter at Breast Height (DBH)** – The standard measure of tree size for those trees existing on a site that are at least four (4) inches in diameter at a height of four and one-half (4.5) feet above the existing grade at the base of the tree. If a tree splits into multiple trunks below four and one-half (4.5) feet above the existing grade, the DBH shall be considered to be the measurement taken at the narrowest point beneath the split. (*Town of Wellesley*)

**Drip line** – A vertical line running through the outermost portion of the crown (outer branch tips) of a tree and extending to the ground. (*Town of Orleans*)

**Drip Line** – A vertical line running through the outermost portion of the crown of a tree and extending to the ground. (*Town of Newton*)

**Overstory Tree** – A tree that will generally reach a mature height of greater than forty (40) ft (*Town of Wellesley*)

**Park Trees** – "Park trees" are herein defined as trees, shrubs, bushes, and all other woody vegetation in public parks having individual names, and all areas owned by the Town, or to which the public has free access as a park. (*City of Amesbury*)

**Person** – Any person, firm, partnership, association, corporation, company, or organization of any kind including public or private utility and municipal department (*Town of Lexington*)

**Protected Tree** – Any tree on private land, with a DBH of eight inches or greater (or any multiple trunk tree with a DBH of 15 inches or greater), located in the setback area (or which, as determined by the tree warden, has any portion of the stem between six inches and 4 1/2 feet above grade actively growing into the setback area), provided that tree is not hazardous or undesirable as defined in the Tree Manual. (*Town of Lexington*)

**Pruning** – The selective removal of plant parts to meet specific goals and objectives.

**Public Right- of-Way** – The boundaries of the public right-of-way as set forth in an order of the City or of the County laying out a public way. The public right-of-way may include not only the traveled surface of the public way, but lands adjacent thereto, including sidewalks and treebelt. (*City of Westfield*)

**Public Shade Tree** – Any tree within or on the boundaries of a public way other than a State Highway, and as further defined in Massachusetts General Laws Chapter 87, §1. (*Town of Belmont*)

**Public Way** – Streets or roads, by whatever term so-called, laid out as public ways by order of the City or, within the boundaries of the City or the County, over which the public has the right of travel, but excluding state highways and Massachusetts Turnpike Authority property. (*City of Westfield*)

**Remove (including removing and removal)** – The cutting down of any protected tree and all other acts which cause the actual removal or the effective removal through damaging, poisoning, or other direct or indirect actions resulting in the death of a protected tree, including, but not limited to, excessive or improper pruning. (*Town of Newton*) See also: ‘Tree Removal.’

**Significant Tree** – Any tree which is seventy-five (75) years or older, or which is three (3) feet in diameter or more. (*City of Springfield*)

**Specifications** – A document stating a detailed, measurable plan, or proposal for provision of a product or service. (ANSI A300 Part 1)

**Standard, ANSI A300** – The performance parameters established by industry consensus as a rule for the measure of extent, quality, quantity, value, or weight used to write specifications. (ANSI A300 Part 1)

**Street Trees** – "Street trees" are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the Town. (*City of Amesbury*)

**Topping** – The severe cutting back of limbs to stubs within the tree’s crown to such a degree so as to remove the normal canopy and disfigure the tree. (*City of Worcester*)

**Tree Removal** – The cutting down of any public tree and all other acts which cause the actual removal or the effective removal through damaging, poisoning or other direct or indirect actions resulting in the death of a public tree, including, but not limited to excessive or improper pruning, excavation, or construction damage. (*Town of Orleans*) or The cutting down of and all other acts that will cause a tree to die within a three-year period. (*Based on the Town of Lexington*) See also: ‘Remove.’

**Tree Risk** – The likelihood of a tree failure impacting a target and the likely severity of the consequences.

**Tree Warden** – The agent of the City having primary enforcement responsibilities under this chapter and MGL c. 87 and charged with the responsibility for approvals required pursuant to this chapter. (*City of Chicopee*)



## Sample Outline

Section 1: Title

Section 2: Purpose

Section 3: Definitions

Section 4: Jurisdiction

Section 5: Administrative Responsibilities

Section 6: Provisions for the Management of Public Shade Trees

- Maintenance

- Protection

- Removal of Public Shade Trees

- Control of High-Risk Trees and Trees Infested With a Pest or Pathogen

- Private Trees that Endanger the Public or Public Property

- Public Trees that Endanger the Public or Public Property

Section 8: Appeals

Section 9: Penalties

Section 10: Severability