

Town of Black Earth Tree and Brush Cutting Policy

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SECTION I – PURPOSE

Pursuant to Chapter 86.03 WI Stats., the cutting and trimming of trees and brush in a sufficient manner to allow for sunlight onto the road; for mowing and snow plowing within the right of way; and for passage of large vehicles such as buses and large farm machinery.

SECTION II – GUIDELINES

- A. All trees and brush may be cut 33 feet from the center of the Town road (Town right-of-way), unless it is agreed upon differently in writing between the Town and the property owner.
- B. No trees or brush shall be cut off the Town right-of-way prior to approval by the Road Supervisor, Town Chair, or Town Board.
- C. Property owners adjoining the Town right-of-way where cutting is to occur, other than mowing with a tractor mounted mower, shall be notified in writing ten(10) days prior to the commencement of cutting.
- D. Tree branches that extend into the right-of-way from private land that may do damage to vehicle lights or other equipment, may be cut without permission from the landowner. The only trimming will be of the branches that are hanging less than twenty-five (25) feet above an area that covers the road width, plus three (3) feet back from either side of the road pavement. These branches may be trimmed back to the tree.
- E. To prevent re-growth of trees in the right-of-way stumps will be sprayed or removed at the time of trimming or during road construction.
- F. Brush or cut wood may be chipped into the right-of-way or onto the property owners land. If brush or cut wood cannot be chipped it is to be piled and burned or hauled to a place directed by the Road Supervisor or Road Patrolman. No burning of brush or wood will be allowed where the property owner mows grass along the road right-of-way.
- G. The Town recognizes that any timber at least four inches in diameter felled in right-of-way cutting remains the property of the adjacent property owner.
- H. Any timber not removed from the right-of-way within two weeks will be deemed abandoned by the adjacent property owner and shall be treated as illegally placed in the right-of-way.
- I. Active cultivation within the highway right of way by adjacent owners or occupiers of land is largely prohibited. They may plant shrubs, hedges, and flowers within the highway right of way only if the Town has given permission. This type of cultivation is only permissible within the first ten (10) feet of the highway right of way from its outer edge. Any plants so cultivated may still be removed later by either the Town or residents.

SECTION III – EFFECTIVE DATE

This Policy will become effective upon approval of the Town of Black Earth Town Board.

Attest: _____
Dayna Dreis, Clerk

Posted: _____

Vern Wendt, Chair

Don Ripp, Supervisor

Barb Parrell, Supervisor