



Department of Planning and Building Services  
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## Neighboring Dead/Dying/Hazardous Trees

### **DOES YOUR NEIGHBOR HAVE A DEAD/DYING OR POTENTIALLY HAZARDOUS TREE?**

Are you worried about a dead, dying, or potentially hazardous tree that is not located on your property? Your options, and whether the city can assist or not, will depend on the location of the tree and what threat the tree may pose.

### **PRIVATE TREE THREATENS PUBLIC PROPERTY OR IMPROVEMENTS**

The City's Code Enforcement specialists are only able to respond if the tree is located on private property and it clearly poses a threat to public streets/sidewalks, public pathways, or other public improvements. Once notified, staff will visit the site to assess the situation. Staff may issue a code violation letter to the property owner to compel them to remove or abate the hazard. Please email [codeenforcement@lakeoswego.city](mailto:codeenforcement@lakeoswego.city), and include photos and an address and/or location description.

### **PUBLIC TREE THREATENS PUBLIC OR PRIVATE PROPERTY OR IMPROVEMENTS**

Sometimes, public trees pose a hazard to private property or public streets/sidewalks, public pathways, or other public improvements. To report a tree located in the public street right-of-way that may pose a hazard, contact the Public Works Department at [503-635-0280](tel:503-635-0280). To report a tree located in a public park or natural area that may pose a hazard, contact the Parks Department at [503-534-5683](tel:503-534-5683). Be sure to have an address and/or location description ready. Staff will assess the situation and determine if a hazard exists, and if so, if removal or abatement of the hazard is the City's responsibility or that of the nearest abutting property owner.

### **PRIVATE TREE THREATENS PRIVATE PROPERTY OR IMPROVEMENTS**

A tree located on private property that may pose a threat to another private property is a civil matter; resolution of the situation is the responsibility of the private property owners. The City does not intervene in private property matters, but can provide the following advice and assistance:

- **Communication.** Contact your neighbor to discuss the situation. If you are unable to reach them or they do not respond, you can mail the property owner a certified letter outlining your concerns.
- **Tree Assessment.** A health assessment completed by a Tree Risk Assessor Qualified (TRAQ) arborist can help you understand the condition of the tree and if it poses a threat to you or your property. Be sure not to trespass on private property to do the assessment. One source to find a qualified TRAQ professional in your area is [www.treesaregood.org](http://www.treesaregood.org).
- **Mediation.** Free Conflict Resolution & Mediation Services are available to help you find resolution with your neighbor if you cannot agree on a solution. Please call [503-635-0257](tel:503-635-0257) to begin the process.
- **Civil Court.** While the City cannot provide legal advice, a possible option to resolve any disputes on the matter may include filing a civil lawsuit. Please contact private legal counsel. The Oregon State Bar is one source for a referral: [www.osbar.org/public/ris](http://www.osbar.org/public/ris) or [503-684-3763](tel:503-684-3763).