

BASIC TREE QUESTIONS

The following are some very basic tree questions that you may have as a homeowner in the City of Hayward:

1. Can I take out the tree in front of my house?

At least one street tree is required in front of each house in the City of Hayward, and if a house is on a corner lot, a street tree is required for each street. The tree could be in a parkway landscape strip between the sidewalk and the curb or it could be located in the front yard area.

2. “The tree in **front** of my house is -----fill in the blank----- (destroying the sidewalk, dying, full of dead branches, ruining my driveway, breaking up my sewer line, blocking a stop sign, causing water to pond in front of my house, dropping sap on my car, etc.)”

FIRST, is this a single-family residence and is the tree located between the sidewalk and the curb? If the answer is “Yes!” then it is possibly a City maintained street tree. Call the Landscape Maintenance Department at (510) 583-8906 and ask the City to maintain this tree. They also have a list of suggested replacement trees for your neighborhood.

3. If the tree is located between the sidewalk and the house and is the only tree in the front yard, or if the tree is located on a multi-family, commercial, or industrial property, the tree is *probably* the responsibility of the owner of the property and it is also *probably* a **protected** tree and removing the tree or removing limbs over one inch in diameter or any other kind of major pruning will require a permit. The **removal** of the tree would require that it be replaced with a tree of equal value to the tree being removed. See the Tree Preservation Ordinance for more information. You can also call the City Landscape Architect for more information about making an appointment to get a permit. Trees in the side yards on corner lots where they are next to the adjacent street may also be **protected** trees.
4. If the tree is on a developed single-family lot and it’s not a street tree located along a front or side street and you or the previous owner planted the tree and now you want to trim or remove it, a permit is not required but we recommend that you trim the tree according to ISA or ANSI standards for your own and your neighbor’s safety. Handouts on how to properly trim trees are available at the Permit Center at City Hall. However, if the tree was planted or protected by the original developer, it may be a **Protected** tree and all **protected** trees require a permit for trimming of branches over one inch in diameter or for removal. A replacement tree equal in value to the tree being removed is always required for a **protected** tree.

5. “My neighbor wants me to cut back or cut down a tree on my property” or “My neighbor’s tree is overhanging or over-shadowing my property (dropping leaves in my yard, pool, etc., lifting my pavement, touching my roof, etc.).”

If the tree is not a Street Tree, this is a private property dispute and the City does not regulate these issues. You can negotiate with your neighbor, call a certified arborist and ask him/her to assess the tree, or request information on mediation programs from the City. If you want to trim, hack, prune or chop back the neighbor’s tree without your neighbor’s permission, it may be appropriate for you to consult with an attorney prior to any action. If the tree is your street tree, you are required to maintain your tree in good condition, which includes any required pruning to keep the tree in a healthy condition and from damaging your neighbor’s property.

6. “My neighbor’s tree is blocking my view.”

The City of Hayward does not have a view preservation ordinance and does not regulate views. See above for recommendations.

7. Safety or hazard calls such as “A tree is blocking the stop sign, blocking visibility, or hanging into the street” should be referred to Landscape Maintenance department at 583-8906.
8. Tree removals in a mobile park are considered to be on a multi-family site. Because this is a multi-family site, all trees as specified in the ordinance are **Protected** and need permits for major pruning or removals. You may call the City Landscape Architect for further information.
9. Trees on undeveloped lots may **not** be removed, relocated, or heavily pruned without a permit. This is for **any** lot in the City of Hayward. A permit will not be issued for tree removal on an undeveloped lot until there is an approved site plan and construction plans are in the City for review and approval.
10. “Help, help! They are cutting down a huge beautiful tree and I don’t think they have a permit!”

Is there is a tree company or maintenance company name visible? Get an address and exact location and alert the City Landscape Architect to the situation. Get as many details as possible (front yard, back yard, undeveloped lot)? We can check the tree permit file to see if there is a permit or if the company has an annual permit if you know which company it is.

If your tree question is not answered above, or if you have other questions, call the City Landscape Architect at (510) 583-4208, to get help.