

## A Greenwich Property Owners' Guide



# WHAT ARE MY TREE RIGHTS RELATING TO PUBLIC UTILITIES?

prepared by  
**GREENWICH TREE CONSERVANCY**  
[www.greenwichtreeconservancy.org](http://www.greenwichtreeconservancy.org)

**PLANT ■ PRESERVE ■ PROTECT**

# YOUR TREE RIGHTS

- For trees solely on **private land**, private property owners have the **right to refuse utilities** permission to prune or remove a tree and must give written consent if they choose to allow pruning or removal. The property owner cannot be billed by the utility if the tree in question falls on the wires and causes damage. (Sec 16-234 c 1)
  - If a tree is determined to be **hazardous\*** by the utility company, the utility must make a reasonable effort to notify the private property owner at least 3 days prior to pruning or removal.
  - The Utilities have the right to work within the **Utility Protection Zone\*** (UPZ) but that does not dictate a particular scope of pruning or removal of trees in that zone.
  - Property owners have 10 business days from receipt of notice of pruning or removal from the utility company in which to file a written objection, **request for modification** or request for consultation, with the utility company and the Town Tree Warden.
  - The Town Tree Warden must issue a decision within 10 business days and that decision may be appealed to PURA\* by either party, utility or property owner; mediation is an option. **No pruning or removal can take place until a final decision has been reached.**
  - The utility company (and private property owners) must obtain a permit from the Town Tree Warden before doing any pruning or removal of trees in the public right-of-way.
  - The Town Tree Warden maintains “care and control” over all trees and shrubs within the limits of any public road or grounds, which includes limbs, roots or parts of trees and shrubs that extend or overhang any such public road or grounds. The Town Tree Warden also has the obligation to prune and remove trees for the protection of “public safety.”
  - The Town Tree Warden is required to post notice of the intention to remove a tree for a minimum of ten days.
- \* see definitions on reverse side of brochure*



## CONTACT INFORMATION

Greenwich Tree Conservancy  
[www.greenwichtreeconservancy.org](http://www.greenwichtreeconservancy.org)

Town of Greenwich Tree Warden  
[Bruce.Spaman@greenwichct.org](mailto:Bruce.Spaman@greenwichct.org)

Garden Club of New Haven  
[www.gardenclubofnewhaven.org](http://www.gardenclubofnewhaven.org)

Eversource Energy Vegetation Management  
P.O. Box 270, Hartford, CT 06141-0270

PURA: 10 Franklin Square, New Britain, CT 06051  
[www.ct.gov/pura/site/default.asp](http://www.ct.gov/pura/site/default.asp)

“This information is an accurate interpretation of the current statutes and PURA policies regarding utility tree management. I appreciate the Greenwich Tree Conservancy clarifying these issues for the residents of Connecticut.”

*Bruce Spaman, Greenwich Town Tree Warden*

## GREENWICH TREE CONSERVANCY

*A non-profit organization that preserves and enhances the tree and forest resources of Greenwich, Connecticut to benefit the community, its health and its quality of life.*



Residents ask,  
“What are my “Tree Rights” relating to public utilities on my property?”

Legislation and decisions made by the Connecticut Public Utilities Regulatory Authority (PURA) give homeowners “Tree Rights,” especially as it concerns utility work. This brochure outlines some of these “Tree Rights.”

*For further information, please consult:*

- CT Statute Section 16-234 (*available online*)
- PURA final decision, Docket # 12-01-10  
[www.ct.gov/pura/site/default.asp](http://www.ct.gov/pura/site/default.asp)
- Greenwich Tree Conservancy  
[www.greenwichtreeconservancy.org](http://www.greenwichtreeconservancy.org)
- Garden Club of New Haven  
[www.gardenclubofnewhaven.org](http://www.gardenclubofnewhaven.org)



## \* TREE RIGHTS DEFINITIONS

### TOWN TREE WARDEN

Each town or city must have a town tree warden who has care and control over all trees and shrubs in whole or in part within the limits of any public road or grounds and is charged with enforcing all provisions of the law for the preservation of such trees and shrubs and of roadside beauty and to protect public safety.

### DOT

CT Dept. of Transportation

### PURA Public Utility Regulatory Authority

PURA has jurisdiction over the electric distribution companies' plans for vegetation management.

### UTILITY

A telephone, telecommunications, electric or electric distribution company.

### UPZ Utility Protection Zone

The Utility Protection Zone is any rectangular area extending horizontally for a distance of eight feet from any outermost electrical conductor or wire installed pole to pole and vertically from the ground to the sky.

### HAZARDOUS TREE

Any tree or any part of a tree that is:

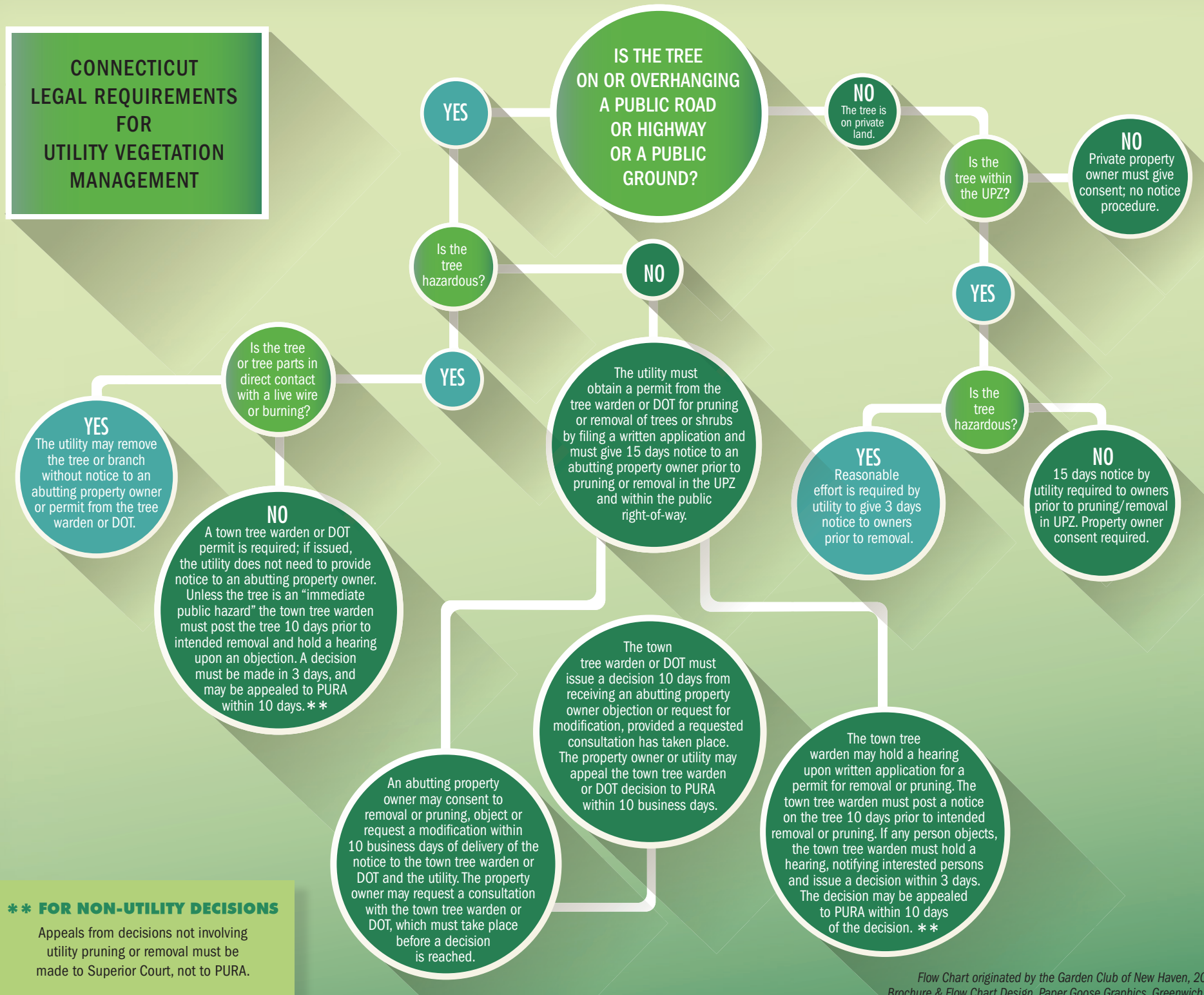
- (a) dead,
- (b) extensively decayed, or
- (c) structurally weak, which, if it falls, would endanger utility infrastructure, facilities or equipment.

### VEGETATION MANAGEMENT

The retention of trees and shrubs that are compatible with the utility infrastructure and the pruning or removal of trees, shrubs or other vegetation that pose a risk to the reliability of the infrastructure.

### PRUNING

The selective removal of plant parts to meet specific utility infrastructure reliability goals and objectives, when performed according to current professional tree care standards and in a manner that retains the structural integrity and health of the vegetation.



### \*\* FOR NON-UTILITY DECISIONS

Appeals from decisions not involving utility pruning or removal must be made to Superior Court, not to PURA.