



KENT COUNTY ROAD COMMISSION

POLICY

No.
405

Effective Date
1/1/96

Revised Date
11/25/09

Tree Cutting

Policy authored by Managing Director in accordance to State Law

Authority of the Road Commission over Right-of-Ways Trees

The State of Michigan has provided various statutory provisions concerning highways trees. Copies of the statutes follow. The acts concern the following:

1. 1921 PA. 2, being MCLA 247.241, governs the protection of trees and shrubs.
2. MCLA 230.6 describes the civil penalties for injury or destruction of trees and shrubs.

MCLA 247.241 provides the Board of County Road Commission the authority to maintain trees along, and within the limits of, roads under their jurisdiction.

The Road Commission may issue a permit to the property owner for the removal or trimming of vegetation in Easement and Statutory right-of-way if it is determined to be in the best interest of the road Commission and/or a safety related issue. Permits may be issued to the adjacent adjoining property owner for vegetation removal in Fee or Limited Access right-of-way for safety related issues only.

Normal roadside maintenance or construction by the road commission falls within the exceptions stated in the statutory provisions and should be done only by the Kent County Road Commission, or its authorized contractor. This would include trees that have been determined to be diseased or hazardous by the Kent County Road Commission.