

# Frequently Asked Questions About Landscaping and Tree Preservation

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### **Do I have to get a tree permit for cutting down trees on my property?**

It depends. No tree permits are required for removing trees on existing single-family residential properties. Tree permits are usually only required when a property is first developed or redeveloped; however, non-residential uses with required landscaping plans must also get permits to make sure they still comply with their initial permits.

### **My neighbor has a dead or dangerous tree. Can you get them to cut it down?**

The town only has authority over public trees. Problems with your neighbor's trees are a private property matter and should be discussed with your neighbor or an attorney.

### **There is a dead or dangerous tree along the street in front of my home. Who do I contact about it?**

If you know of a dead or dangerous street tree, please contact the Public Works Department at 259-2901. The town will evaluate the tree to determine if it should be put on the tree maintenance priority list.

### **I don't like the street tree in front of my home. Can I cut it down?**

Any tree on public property cannot be cut down by a private party unless approved in advance by the Board of Commissioners. If you would like to request permission to remove a street tree, please contact the town clerk at 663-3441 so you can be put on the agenda for the next Board of Commissioners meeting. You may also make a request at a Public Forum, but the item may be delayed to allow time for staff review. Please be advised that even if permission to remove the tree is permitted, all costs must be borne by the private party and removal, including stump grinding, must be done to the town's specifications.

### **Can I plant a tree along the street?**

You may only plant a tree along the street with the advance permission of the Board of Commissioners. The town's rights-of-way (the area immediately adjacent to the street held in public trust) may contain a variety of utilities. In addition, the Board will need to review the type of tree you would like to plant to make sure it would not damage the street, sidewalk, or interfere with utility lines.

If you would like to request permission to plant a street tree, please contact the town clerk at 663-3441 so you can be put on the agenda for the next Board of Commissioners meeting. You may also make a request at a Public Forum, but the item may be delayed to allow time for staff review.

### **I have seen a business with dead or dying landscaping. What can be done about this?**

Many businesses in Burgaw obtained permits based on an approved landscaping plan. These businesses must maintain all required plantings or they will be in violation of their permit. Businesses who do not have an approved landscaping plan do not fall under these requirements. The town may, however, inform them of the matter and make a request for removal and replacement. If you would like to make a complaint about improper landscaping maintenance, please contact the planning department at 663-3450 or [planning@townofburgaw.com](mailto:planning@townofburgaw.com).

### **How do I know whose property a tree is on?**

Sometimes it is difficult to tell whether a tree is on private property or in the public right-of-way. In general, the right-of-way usually includes drainage ditches and utility poles. If you are not sure if a tree is in the right-of-way, please contact the planning department at 663-3450 or [planning@townofburgaw.com](mailto:planning@townofburgaw.com). We will use aerial photos and tax office property maps to determine if the tree is public or private.

If you cannot tell if a tree is on your property or a neighbor's property, you may contact the planning department for assistance or look at Pender County's online mapping program at <http://www.pendercountync.gov/Government/Departments/InformationTechnologyServices/GIS/Services/OnLineGISDisclaimer.aspx> to access aerial photos and tax office property maps.