



TREE PROGRAM

FREQUENTLY ASKED QUESTIONS

WHAT IS A PUBLIC “RIGHT-OF-WAY”?

Public right-of-way means land, which by deed, conveyance, agreement, dedication, usage or process of law is reserved for use as a public roadway and includes gutters, sidewalks, curb strips and walkways adjacent to the road.

WHO IS RESPONSIBLE FOR MAINTAINING THE PUBLIC “RIGHT-OF-WAY”?

The property owner is responsible for maintaining the portion of public right-of-way from the edge of the pavement to the back of the right-of-way on their property including trees located therein. Additional responsibilities include ensuring the safety of the public from harm caused by improper or neglectful maintenance of the trees. For assistance determining Alameda County’s right of way on your property, please call (510) 670-5500.

WHO OWNS THE TREES ALONG THE ROAD?

Trees belong to the owner of the property adjacent to a public street, road or sidewalk, even if they are located within a dedicated public “right-of-way.”

WHO IS RESPONSIBLE FOR MAINTAINING THE TREES IN THE PUBLIC RIGHT-OF-WAY?

The property owner is responsible for maintaining trees on property adjacent to the roadway in the same way that trees that are located in your front, side or backyard areas are maintained.

Under the Tree Ordinance, the County may notify the property owner of the need to prune trees for safety clearances, remove broken branches which pose safety hazards and/or remove obviously dead or dying trees that present a reasonably foreseeable risk to the traveling public.

If the property owner does not perform the requested work, the County retains the right to do necessary maintenance work and seek reimbursement from the property owner.

WHY DOES THE COUNTY PRUNE SOME TREES AND NOT OTHER TREES IN THE PUBLIC RIGHT-OF-WAY?

Alameda County prunes trees in the right of way areas for vehicle and pedestrian clearance, to reduce sight obstruction and to promote better street light illumination.

The County does not prune all sides of a tree and the tree can have a nonsymmetrical appearance if the tree is not uniformly pruned. Dead or dying branches may remain in the tree after the County takes action to provide clearance pruning for the road right-of-way. If you decide to remove these branches and/or restore symmetry and aesthetics of the tree, please contact the County for information about any required permits. To request tree pruning services, please call (510) 670-5500.

ARE THE UTILITY COMPANIES RESPONSIBLE FOR PRUNING ANY TREES?

The utility companies have a right to use the public right-of-way to provide services to the adjoining property. The Pacific Gas and Electric Company (PG&E) is obligated to prune trees back from overhead high voltage and transmission lines to meet safety requirements specified in state law and regulations. PG&E's pruning of trees is usually carried out by contractors. If you believe a tree presents a danger to utility lines in your neighborhood, please call PG&E at 1-800-743-5000.

WILL THE COUNTY REMOVE A TREE WHEN AN ARBORIST INSPECTS A TREE IN THE PUBLIC RIGHT-OF-WAY AND ADVISES IT SHOULD BE REMOVED?

Not necessarily. The decision to remove the tree will depend on the urgency of any potential danger that the tree poses to the users of the roadway. The responsibility and expense for removing the tree rests with the property owner and permits for removing and replacing the tree are required.

DO I NEED A PERMIT TO PRUNE OR REMOVE A TREE FROM THE PUBLIC RIGHT-OF-WAY?

Permits are required to plant, prune or remove a tree within the County right-of-way. Minor pruning (cutting of branches that are 1" in diameter or less) can be performed without a permit.

HOW DO I GET A TREE PERMIT?

Permit applications can be obtained by either calling (510) 670-5480, in person at the Public Works Agency building at 399 Elmhurst St. in Hayward, or online at www.acpwa.org/pas/urban-forestry.

There is a non-refundable \$50 application fee that covers a portion of the cost of the inspection.

Annual permits are available for qualifying contractors for maintenance only. If a contractor in possession of a yearly permit is hired, the homeowner will not need to apply for an individual permit. Contact the Public Works Agency at (510) 670-5480 to obtain a list of contractors with current yearly permits.