

## **Commonly Asked Questions**

1) How long is a permit valid?

Permits are valid for one year from date of issuance. If work is not done within one year, a new inspection and permit is necessary.

2) How do I know what tree to buy to replace the one removed?

The type of replacement tree(s) will be recommended by the Forest Ranger based on the location of other adjacent trees(s), width of the planting strip, proximity to utilities, character of the neighborhood, and any other pertinent site factors known. Tree Types are chosen from the approved recommended tree list and are readily available from your local nursery. <http://dnr.maryland.gov/forests>

The applicant must properly care for the tree(s) after installation. The newly planted tree is also subject to the requirements of the Roadside Tree Law.

3) How do I find the location of my local DNR Forest Service Office?

Your local Office can be located on this website: <http://dnr.maryland.gov/forests>

To find out more about MD Roadside Tree Law and to obtain an application form, please visit our website at: <http://dnr.maryland.gov/forests> Click on Roadside Tree Law under our on-line services menu.



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This document is available in alternative format upon request from a qualified individual.



## **Maryland's Roadside Tree Program**



### **MARYLAND FOREST SERVICE**



The Forest Service restores, manages, and protects Maryland's trees, forests, and forested ecosystems to sustain our natural resources and connect people to the land.

# What you should know about Maryland's Roadside Tree Program

Maryland's Roadside Tree Law  
Authority: Natural Resources Article  
§§5-401 to 5-423, Annotated Code of  
Maryland

Passed in 1914, this Law and its regulations were developed to protect our roadside trees by ensuring their proper care and protection and to ensure their compatibility with an efficient and dependable public utility system.

Millions of trees grow along the more than 30,000 miles of improved roads in Maryland. These trees are an important urban and community resource and they provide aesthetic, environmental, economic and social benefits.

The Maryland Department of Natural Resources Forest Service (DNR Forest Service) protects tree along our public road rights-of-way through enforcement of the Roadside Tree Law.

## Trimming or Removing a Roadside Tree

A roadside tree is any tree whose trunk grows all or in part within a public road right-of-way, regardless of ownership of the physical property. Before a roadside tree is trimmed or cared for in any way, a Tree Care Permit must be obtained from the DNR Forest Service. A permit is also required when underground construction, such as tunneling, trenching, or boring, impact the root zone of a roadside tree. Planting a tree within the public road right-of-way also requires a permit.

Any work performed on a roadside tree must be done by a Roadside Tree Care Expert (employed by a public agency) or a Maryland Licensed Tree Expert.

When tree care is performed on a roadside tree without a permit, a fine may be assessed or more severe actions taken by the DNR Forest Service.

## Why Permits are Necessary

The permit process helps to protect our roadside trees. Issuance of Tree Care Permits is important to ensure:

- Only beneficial and necessary tree trimming, root cutting, fertilization, or other maintenance practices will be done and done correctly to roadside trees.
- Tree hazards are documented and corrective action, including removal and replacement, is done in a timely and safe manner by Licensed Tree Experts.
- The right tree (correct species) is planted in the right location, thereby avoiding future problems and conflicts with sidewalks, overhead and underground utilities, and sight distances.
- A permit may not be required if a tree or its branches are an immediate danger to person or property such as if uprooted or if its branches are broken and contact a power line.

## Who Should Apply for a Permit?

If you wish to trim or remove and replace a roadside tree on your property, or if you believe a roadside tree is a hazard, or if you are planting or maintaining community street trees as part of an overall plan, you must apply for a roadside tree permit before any tree care work or planting is performed. Review of proposed planting plans during the permit application process helps reduce tree-related problems in the future.

## How to Apply for a Permit

An application form must be submitted to the DNR Forest Service Office in the county where the tree exists. The request must include location (street address) of the tree or grouped trees, the adjacent property owner(s) name and address, and the type of tree care requested.

After the request has been received by the local DNR Forest Service Office, a Forest Ranger will complete an on-site examination of the tree(s) to determine if the proposed tree care is necessary. The application will be

approved, modified, or denied by the Forest Ranger. Recommendations may be added to the application as appropriate. The Forest Ranger will leave with, or mail to, the applicant the application with review comments added.

**If the application is approved:** the property owner(s), who has the roadside tree (within the public road right-of-way) in front of his/her property, must sign the application and return it to the local DNR Forest Service Office with the check or money order (made payable to the DNR). If the roadside tree straddles two properties, both owners must sign the same application. The actual submittal (& fee) can be accomplished by an agent of the owner (ie: Licensed Tree Expert) at the owner's expense.

Upon approval and receipt by DNR Forest Service of the signed application and fee, a permit will be issued and mailed to the applicant's address shown on the application. After the permit is issued, the applicant may proceed with the work.

Permits issued for tree removal require replanting a tree(s) as a condition of approval unless otherwise noted. Tree planting is the responsibility of the applicant and must be completed within one year of removal. (Spring planting is recommended.)

**If the application is denied,** comments explaining the decision and how to appeal are added to the returned application.

## The Appeal Process

If your application is denied and you wish to appeal, you must submit a written request for a reevaluation of the application. This request must be made within 10 working days of notification of permit denial. The request must be in the form of a letter which clearly notes additional circumstances not previously known that warrant a reevaluation and be attached to the denied application. The request should be addressed to the DNR Urban & Community Forestry Supervisor, as shown on the detailed appeal process attached to your denied application.