

# Neighborhood FAQs



## Private Property Trees

The City of Hagerstown is committed to ensuring the health, safety and welfare of all residents and visitors. We appreciate the contributions made by homeowners to maintain their properties and help make Hagerstown a great place to live. At times, the City must reach out to property owners to address Code issues adopted for the betterment of the entire community.

- ⇒ My neighbor's tree fell onto my property, who is responsible for the cleanup?
  - \* Under Maryland Law, for fallen trees or similar accidents that may be qualified as an "act of God," the affected owners are responsible for damages to their property, including cleanup, removal and related expenses.
- ⇒ My neighbor's tree looks like it's going to fall onto my house. What should I do?
  - \* Talk to your neighbor. You may not enter your neighbor's property to trim or remove a tree or other plant without first getting your neighbor's consent.
- ⇒ My neighbor's tree overhangs my property, but the trunk is on the neighbor's property. Can I trim the tree branches back from my property?
  - \* Maryland has adopted the "Massachusetts Self-Help Rule" that says you must assume responsibility for the care and preservation of your own property. This means that you can cut branches that hang over onto your property to your property line. However, you may not destroy the tree in the process, nor can you cut the tree down.
- ⇒ My neighbor's tree leaves are falling on my property. What can I do?
  - \* Under Maryland law, there is no cause of action available to you for the cost of cleaning your property or gutters of leaves which have fallen from your neighbor's trees.
- ⇒ My powerlines go through my neighbor's tree. I am concerned the tree will fall or a storm will make a tree limb fall causing my property to loss power. What can I do?
  - \* Talk to your neighbor about your concern, the homeowner is responsible for keeping trees trimmed around the service conductors. HLD must be notified any time work will be performed within 10 feet of overhead electrical wires. A representative will meet with the homeowner to identify any safety hazards and coordinate with the vegetation management professional to ensure the work is completed safely. This work plan will determine whether the service will need additional clearance, covered, or de-energized in order to proceed.

*Disclaimer — This flyer and suggestions contained therein are for informational purposes only. The content of this flyer is not intended to constitute, nor does it constitute a legal opinion or legal advice. This flyer is designed to identify frequently occurring questions regarding trees within City limits. Legal issues, questions or concerns are best resolved by seeking professional legal advice.*

If you have any questions, please call the Department of Housing & Community Development at 301-739-8577 ext. 103