



DISEASED TREE HIGH-COST ABATEMENT ASSESSMENT POLICY

I. Background.

The City Council (Council) of the City of Anoka, Minnesota (City) has chosen, by policy, to take steps to help protect the health and safety of its property owners by providing optional assessment of diseased tree abatement costs. This policy may be amended, as necessary, in the future.

II. Purpose and Objective.

It has been determined that the health of the trees within the city limits is threatened by fatal shade tree pests. In accordance with Section 74. Article III of the city ordinances, any trees found within the city to be infested with a shade tree pest or disease, shall be abated within the time frame decided by a Tree Inspector within the Public Services Department or other authorized agent. Historically, it has been the property owner's responsibility to abate any public nuisance found on private property at their own expense as soon as practical. In the case of the cost of abatement the property owner may request the city to assist with financing. For health and safety reasons, it is recommended that upon a certain set of criteria, the City may assist the property owner with financing the cost of a diseased tree abatement through an assessment to the property.

III. Policy.

- A. It shall be the policy of the City of Anoka to work with the property owner to contract with an insured and bonded tree care company who licensed with the City to provide prompt abatement of private nuisance tree(s) which has been verified by the city. The property owner enters into a contract with a qualified tree care company and as such, is responsible for costs of the abatement or any damages to their property for the abatement of nuisance tree(s)
- B. The city will only pay for the abatement costs and assess the cost against the property if the abatement is pre-approved by the city and one of the following conditions are also met:
 - 1. Poses a public health or safety concern
 - 2. A positive diagnosis from the tree inspector or a laboratory test of a disease or pest that is threatening to forest health on an epidemic level
 - 3. Immediate removal is recommended by the tree inspector, city's authorized agent, or independent certified arborist
- C. Property owners who request this assistance will be required to sign an assessment agreement prior to work being performed for the abatement of the nuisance tree(s) at the percentage rate established by the City Council.

This agreement will allow the City to pay the contractor directly for the cost of the abatement and assess that cost to the property. If the property owner chooses to abate the nuisance without City assistance, these costs will not be assessable.

- D. The City's action in undertaking or executing this policy does not constitute and shall not be interpreted as an admission of liability or fault, and there are no covenants, promises, undertakings or understandings, either expressed or implied by the City other than those stated.
- E. It is recognized that this policy may not be applied indiscriminately and variations are permitted when the Public Services Director and Finance Director agree to a deviation.
- F. Any trees on private property that are abated by the city due to non-compliance of the diseased tree ordinance will be at the expense of the property owner or occupant, including any administrative costs. These expenses will be due immediately and payable to the City of Anoka. Failure to pay the costs or attempt to agree on installment payments will result in such be assessed back to the property.
- G. This policy is not applicable to discretionary tree removals.

Policy History

Initially Adopted: 05.03.2021