



## How Are Street Tree and Sidewalk Claims Handled?

Trees are a valuable part of our community. They improve the appearance of the community, provide shade and visual interest, improve air quality, reduce storm water runoff and moderate the micro-climate impacts of heat absorbed by paved surfaces. By caring for our trees today, we are making our community a better place for tomorrow.

People often assume that the City is responsible for all street trees planted between the sidewalk and the street. The correct answer, however, is that maintenance and care of the street tree is the responsibility of the property owner. The following codes and ordinances apply.

- The city is responsible to maintain trees in the publicly-owned right-of-way. ([Development Code 4.2-140 Street Trees](#))
- Property owners are responsible to maintain trees and landscaping on private property including in the right-of-way such as planting strips. ([Development Code 4.2-140 Street Trees](#))
- Property owners are responsible to maintain sidewalks in the right-of-way on private property. ([Development Code 4.2-135](#))
- Property owners must obtain authorization from the City to remove street trees. ([Ordinance 5.262](#))
- Property owners are responsible to address hazardous trees on their property. ([Ordinance 5.050](#))

Springfield Development and Public Works (DPW) uses a complaint driven system to address sidewalk and tree hazards. DPW relies on reports from the public to locate hazards. Call the DPW operations division at 541-726-3761 to report sidewalk and tree hazards. Based on reports from the public, DPW prioritizes needed repairs or refers the hazard to the property owner.

### Filing a claim

Should a claim be filed for incidents such as a tree limb falling on a car, or someone tripping on a raised section of sidewalk, City Risk will confer with DPW:

- Is the tree or sidewalk on property owned and maintained by the City?
- Has the hazard been reported?
- Has the hazard been addressed?

If a hazard is on property owned by the City and has been reported, City Risk will check that DPW followed its protocols and timelines to evaluate and address the hazard. Gathering this information may take several weeks. The claim will be tendered to the property owner or referred back to the claimant if the property is privately owned. Regardless, the City or its' insurer will respond to the claimant on the status of the claim.

**Most tree and sidewalk claims are not paid.** Historically, very few claims for sidewalks and tree damage are due to City negligence. Damage is caused as tree roots lift sidewalks, limbs or branches break during storms, and other factors beyond the City's control. Claimants are encouraged to contact their own insurer if they need immediate repairs or if their claim has been denied.

- Contact Risk Management or obtain a claim form. 541-726-3705 <http://www.springfield-or.gov/hr/RiskManagement.htm>

- Go to the City's website to learn more about street trees and street landscape maintenance:  
<http://www.springfield-or.gov/DPW/StreetTrees.htm>