

# MCCA Tree Policy

February 2024

## Trees Within MCCA Common Areas

- MCCA trees are located within association-owned land, parks, and city right-of-way adjacent to MCCA common areas, which shall be maintained by the Association, as determined by the Board.
- The Association shall make all removal and cost assessment decisions for Association trees.
- Hazardous trees, defined as dead or declining or trees oriented in such a way as to create a potential danger to property or people, as determined by the Board, may be eligible for removal or alteration.
- View enhancement or view maintenance is not a valid reason for tree removal or alteration.
- The Association may sometimes request a consultation with an arborist, or city or county staff regarding tree maintenance, health assessments, removals, and replanting. Removal costs may be paid by either the Association or a specific homeowner.
- The Association follows state and local guidelines and best practices for tree management in our stormwater areas.

No resident may add, alter, or remove any trees in the common areas, wetlands, parks, sensitive areas, or on private land without advance written approval of the MCCA office or Board of Directors per the MCCA Restrictive Covenants sections 7.2.1 and 7.2.2.1. After notice and an opportunity to be heard, violators of the rules may be subject to fines and penalties as outlined in the Association's Fine Schedule. In addition, the homeowner in violation is responsible for all costs and fines levied by any governmental agencies. The MCCA Board of Directors is responsible for all planting and tree removal decisions within MCCA common areas. Contact the Association Director with questions regarding trees in the MCCA common areas.

## Trees Within Homeowner or Sub-Association Private Land

Homeowners and sub-associations are responsible for tree maintenance on their property. Maintenance includes trimming, arborist consultations, and the removal of dead, dying, diseased, or dangerous trees. The MCCA Restrictive Covenants sections 7.2.1 and 7.2.2.1 describe tree maintenance and removal restrictions. Major maintenance, such as removals or major trimming where more than 10% of the tree canopy is affected or where a bucket truck or climbing apparatus is used, requires the approval of the Architectural Control Committee. Trees located in a cutting preserve may only be removed with the approval of the ACC if they are dead, dangerous, diseased, or dying.

Trimming and limbing trees in a cutting preserve is allowed with the approval of the MCCA Office or Board of Directors. Homeowners may prune branches that overhang their property line as long as they do not harm the tree. MCCA strongly suggests property owners discuss the pruning with the neighbor who owns the tree before they start work. The homeowner doing the pruning is responsible for the proper disposal of the tree debris.

Property owners are responsible for complying with all city regulations.

## Fallen Trees on Private Land

By deciding to purchase a home next to trees, the homeowner is assumed to know the inherent risks of trees falling onto their property. Homeowners are advised to maintain adequate insurance coverage to cover property damage and the costs of removing fallen trees from their property. If a tree falls onto the homeowner's lot, the homeowner may remove the fallen tree immediately in conjunction with filing their insurance claim. The cost to remove a fallen tree is the responsibility of the owner of the land where the fallen tree lies. Homeowners are responsible for removing any tree that falls on their property, regardless of who "owns" the tree before it fell.

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## Hazardous Trees Located on City, School District, or County Land

If a resident has concerns about a tree on city or county land, they must contact the City of Mill Creek, the Everett School District, or Snohomish County with their concerns.

## MCCA 100 Tree Planting Policy

MCCA's suburban forest is unique and worthy of protection. To ensure our treed landscape lasts for decades to come, the MCCA Board's goal is to have the maintenance team purchase and plant 100 trees in our common areas each year. These 100 trees are in addition to the trees donated to the MCCA by residents when they remove native trees.

SIGNED this 21st day of February 2024, by Sid Siegel, President of the Board of Directors for Mill Creek Community Association.



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Sid Siegel, MCCA Board President