

Fallen Trees Guidelines

MVCCE POA

We are all blessed to live in an area filled with countless, beautiful trees. In fact, the Smoky Mountains have more than 100 native species of trees. Sometimes, of course, Mother Nature intervenes, and a tree comes down in our community. Here are the procedures that the POA follows when this occurs:

- First, if a tree stands on your property, it is yours and you are responsible for it. If your tree falls and it is not a threat, danger or inconvenience to anyone outside of your property, it is left up to you to deal with it as you see fit.
- If your tree falls and threatens or damages a neighbor's property, this includes land and home, that is an issue between property owners and the POA normally stays out of it.
- When a tree falls across a road, in a ditch or in an easement area, this becomes a community issue. If this affects power lines, Duke Energy will act on their own, they will not wait for permission or an invitation. Duke does not typically charge for tree removal when they act, but it is always best for you as the property owner to verify.
- If a fallen tree blocks a road, ditch, or easement, it is still the property's owner's responsibility to remove the tree/debris. Many of our property owners are part-time or own an empty lot and may be unaware of any issue with trees on their property. If this is the case, the POA will make every effort to contact them to act. If the tree has partially or fully blocked a road, this will need immediate action.
- If the POA has trouble contacting the property owner or the owner does not act promptly, the POA will arrange to have the road, ditch or easement cleared and then bill the property owner for the expense. If the property owner has a tree cleared or cut down and leaves any wood or debris in the road, ditches or easements and does not clear quickly, the procedure is the same, the POA will try to contact you first and if that doesn't work, will arrange for it to be cleared and you will be billed for the work.