

99090023276000

# Apply for pruning and tree felling

Heruntergeladen am 07.06.2025

<https://fimportal.de/xzufi-services/6000946/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99090023276000
Leistungsbezeichnung I	Apply for pruning and tree felling
Leistungsbezeichnung II	Apply for pruning and tree felling
Typisierung	4 - Land: Regelung
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	

**Modul**
**Sachverhalt**
**Fachlich freigegeben durch**
**Handlungsgrundlage**

- [Bundeskleingartengesetz (BKleingG)](<http://www.gesetze-im-internet.de/bkleingg/>)
- [Bundesnaturschutzgesetz (BNatSchG)]([http://www.gesetze-im-internet.de/bnatshg\\_2009/](http://www.gesetze-im-internet.de/bnatshg_2009/))
- [Sächsisches Naturschutzgesetz (SächsNatSchG)](<https://amt24.sachsen.de/fehler-link-nicht-gefunden>)
- § 42a Absatz 3 [Verwaltungsverfahrensgesetz (VwVfG)](<http://www.gesetze-im-internet.de/vwvfg/>) – Genehmigungsfiktion
- [Sächsisches Kostenverzeichnis (SächsKVZ)](<https://revosax.sachsen.de/vorschrift/12126>), Laufende Nummer 71 – Naturschutz

**Teaser**

If you want to remove protected trees, shrubs or other woody plants or cut them back considerably, a licence may be required. Whether a tree or shrub is protected depends on the municipal tree protection statutes, the Federal Nature Conservation Act (BNatSchG) and the Saxon Nature Conservation Act (SächsNatSchG).

**Volltext**

If you want to remove protected trees, shrubs or other woody plants or cut them back considerably, a licence may be required. Whether a tree or shrub is protected depends on the municipal tree protection statutes, the Federal Nature Conservation Act (BNatSchG) and the Saxon Nature Conservation Act (SächsNatSchG).

#### #### Municipal tree protection bylaws

Towns and municipalities have the option of placing trees and shrubs under protection by means of a so-called tree or shrub protection statute. Trees and shrubs covered by the statutes may only be felled or severely pruned if the relevant local authority has authorised this in advance. This authorisation can also be linked to the obligation to carry out replacement planting or the payment of compensation.

According to the Saxon Nature Conservation Act, trees may not be placed under protection:

## Modul

## Sachverhalt

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- trees in the forest
- trees and shrubs on dykes, dyke protection strips, dams, water reservoirs and flood retention basins
- trees, shrubs and hedges in allotment gardens

### #### Federal Nature Conservation Act and Saxon Nature Conservation Act

Even if a tree or other woody plant is not protected by a tree protection statute, for example because it is not covered by the scope of the statute or because the municipality has not issued a tree protection statute at all, there may still be a ban on felling due to species and biotope protection.

During the vegetation period from 1 March to 30 September, it is generally prohibited to cut down, uproot or remove trees, hedges and shrubs. Careful shaping and maintenance pruning is permitted. Trees in forests, on short rotation plantations (for example energy wood plantations) and on commercially or privately used horticultural land are exempt from the felling ban.

Some trees and shrubs are protected by law as biotopes and may not be removed all year round, such as hollow-rich islands of old wood, hollow-rich individual trees or fruit trees in orchards. Trees that serve as breeding or resting places for particularly protected species such as birds, certain beetles or bats are also protected all year round.

If the grove is located in a protected area under nature conservation law, this may also result in restrictions.

**\*\*Note:\*\*** Fines may be imposed for violations of pruning bans. If you are not sure whether you are allowed to cut down or severely prune a tree or shrub without official authorisation, you can seek advice from the competent authorities listed below.

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**Sachverhalt**

### Contact point

- exemption from the tree protection statutes:  
Municipal or city administration
- exemption from species or biotope protection:  
Lower nature conservation authority at the district office; in Dresden, Leipzig and Chemnitz at the city administration

**Erforderliche Unterlagen**

Application (informal) with the following information

- location of the tree
- type and size of the tree
- the property (district and parcel number)
- detailed justification

**Voraussetzungen**

- You want to fell a tree or other woody plant, cut it back severely or prune it.
- The tree or shrub is protected by a tree protection statute or regulations on species and biotope protection in the BNatSchG or the SächsNatSchG.

**Kosten**

none

**Verfahrensablauf**

In your informal letter of application to the competent authority (see contact point), explain the reasons for the exemption in detail. The application will be accepted by the local city or municipal administration. If necessary, they will involve the lower nature conservation authority.

**Bearbeitungsdauer**

- Application for exemption from the tree protection statute: 6 weeks from receipt of the complete documents **\*\*Note:\*\*** If no rejection is received within this period, your application is deemed to have been approved (so-called fictitious approval). When exactly the 6-week period begins and therefore the fictitious authorisation occurs can be disputed. To be on the safe side, you can request a certificate from the competent authority confirming that the deemed approval has been granted.

**Frist**
**weiterführende**

Modul	Sachverhalt
Informationen	
Hinweise	<p>#### Compensation</p> <p>Even if your application has been approved, you may be required by the authorities to carry out replacement planting or to make compensation payments.</p> <p>#### Offence</p> <p>Violations of the above prohibitions can be penalised with fines of up to EUR 50,000.</p>
Rechtsbehelf	Appeal (more details in the notification)
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	