

TOWNSHIP OF MAPLEWOOD



ORDINANCE

2692-12

**AN ORDINANCE
TO AMEND
CHAPTER 227
OF THE CODE
OF THE TOWNSHIP OF MAPLEWOOD
ENTITLED
"Shade Trees"**

"Interpretive Statement"

This ordinance will eliminate the requirement that the applicant for the removal of a tree within the Township send notification to all abutting property owners and further will require that the Shade Tree Supervisor process an application for tree removal within five (5) days of receipt of a complete application.

WHEREAS, the Township of Maplewood(the "Township") requires that in certain circumstances privately owned trees may only be removed upon application and approval by the Township Shade Tree Supervisor; and

WHEREAS, it has been recommended to the Township Committee that the application process be revised; and

WHEREAS, the Township Committee thinks that it would be in the best interests of the residents of the Township to make the revisions recommended.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Maplewood, County of Essex, State of New Jersey as follows:

Chapter 227 of the Code of the Township of Maplewood entitled

"Shade Trees" shall be amended as follows:

FIRST:

Section 227-8

Permit Required

Shall be amended as follows:

I. Subsection B

Said person shall provide written notice by certified mail, return receipt requested, of his/her application to all owners of properties which abut the property on which the subject tree or trees are located, at least ten (10) days prior to the date of application, **shall be deleted.**

II. Subsection E

Shall be amended to read:

"The Shade Tree Supervisor shall determine whether or not to issue a permit within five (5) days from the filing of the application and, in the event of partial or complete disapproval, shall provide written reasons for such decision. Where appropriate, the Shade Tree Supervisor shall indicate guidelines and other measures which must be taken in order to preserve other trees, persons or property from damage caused by the removal operation."

III. All other Sections shall remain unchanged.

SECOND: Severability

If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

THIRD: Repeal of Prior Ordinances

Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

FOURTH: Effective Date

This Ordinance shall take effect after final passage and publication and as provided by law.

PUBLIC NOTICE is hereby given that the foregoing proposed Ordinance was introduced and read by title for the first time at a meeting of the Township Committee of the Township of Maplewood, held on May 1, 2012, and that Committee met again on May 15, 2012, at 7:30 p.m. at the Municipal Building, 574 Valley Street, Maplewood, New Jersey, at which time and place the Committee proceeded to consider the said Ordinance on second reading and final passage.

ELIZABETH J. FRITZEN, R.M.C.
Township Clerk