

Ch. 147
6-30-2008

BOROUGH OF NEW PROVIDENCE

ORDINANCE 2008-11

**AN ORDINANCE OF THE BOROUGH OF NEW PROVIDENCE, COUNTY OF UNION,
STATE OF NEW JERSEY AMENDING CHAPTER 247, TREES AND SHRUBS, OF
THE BOROUGH CODE**

BE IT ORDAINED by the Mayor and Council of the Borough of New Providence, County of Union, State of New Jersey that Chapter 247 of the Borough Code is amended as follows:

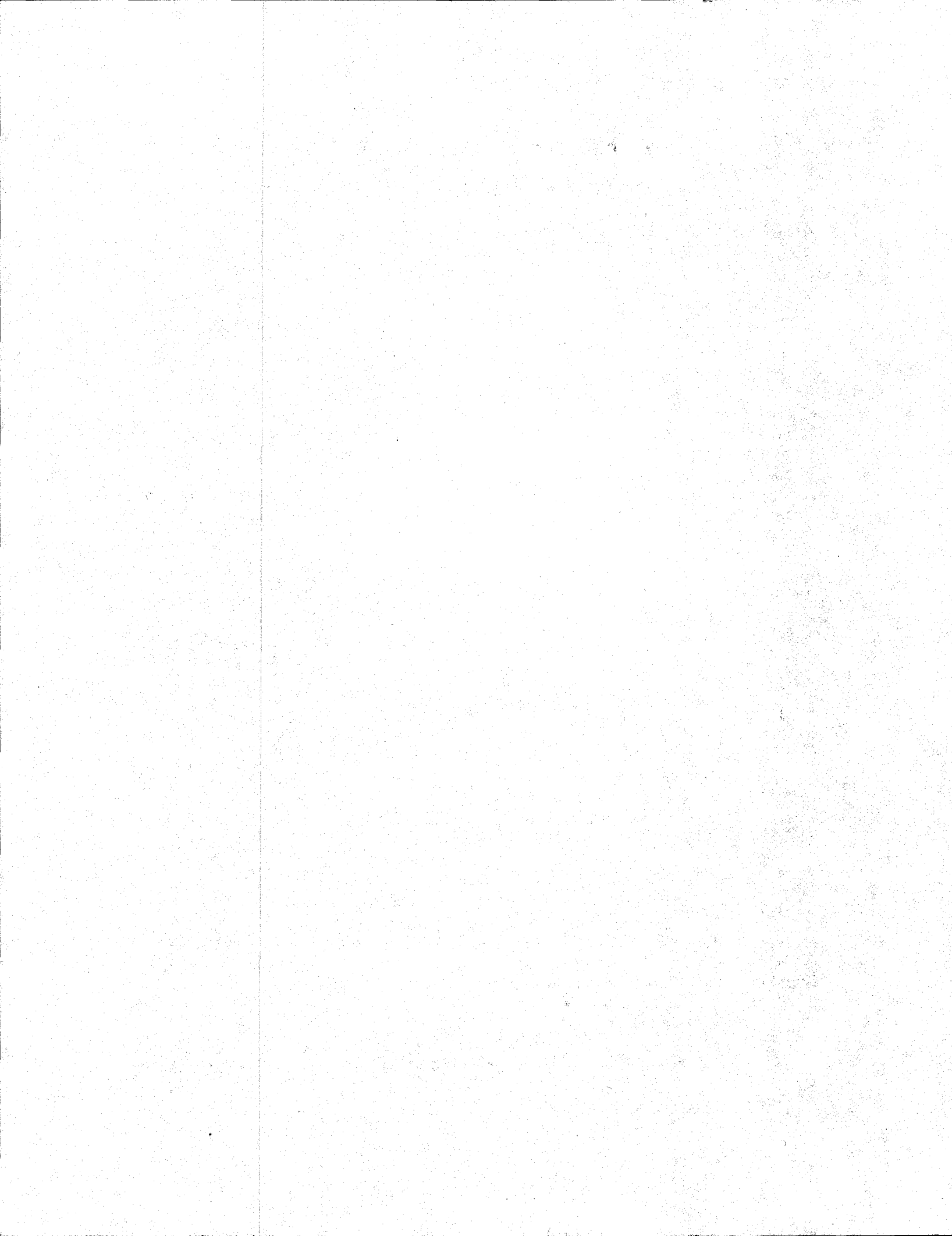
1. Chapter 247, Trees and Shrubs, is hereby amended to modify the following sections:

§247-2. Regulated activities.

A. No person shall destroy or remove any tree with a diameter in excess of four inches, measured one foot above the ground, growing upon any lands within the Borough in the county, unless such destruction or removal is accomplished or caused to be accomplished in accordance with the provisions of the chapter.

B. No public utility, or other person having control over any wires for the transmission of an electric current along a street, highway or other right of way, shall perform or authorize the performance of any maintenance work on any overhead wires, underground pipes or conduits, wherein any pruning, defacing, scarring or removal of trees will occur, without having previously applied for and obtained approval from the Borough as provided herein. Such persons shall follow the American National Standards Institute (ANSI) A300 for pruning and maintenance of trees.

C. Every person having control over property where tree branches overhang public sidewalks must provide for trimming of said tree branches to a minimum height of 7 feet. Bushes along public sidewalks must not encroach on the sidewalk.



§247-4. Issuance of permits involving three or fewer trees.

If such application, together with any previous application or application, discloses that no more than three trees in excess of the size referred to in §247-2 are to be destroyed or removed or have been destroyed or removed from the lot or tract of land referred to in such application, the Borough Clerk shall issue the permit as a matter of course. An application to remove a dead tree or a tree that by virtue of its condition constitutes a hazard to the public health and safety shall not apply against the three tree limit as described herein and no fee shall be collected. The applicant shall provide documentation concerning the condition of the tree.

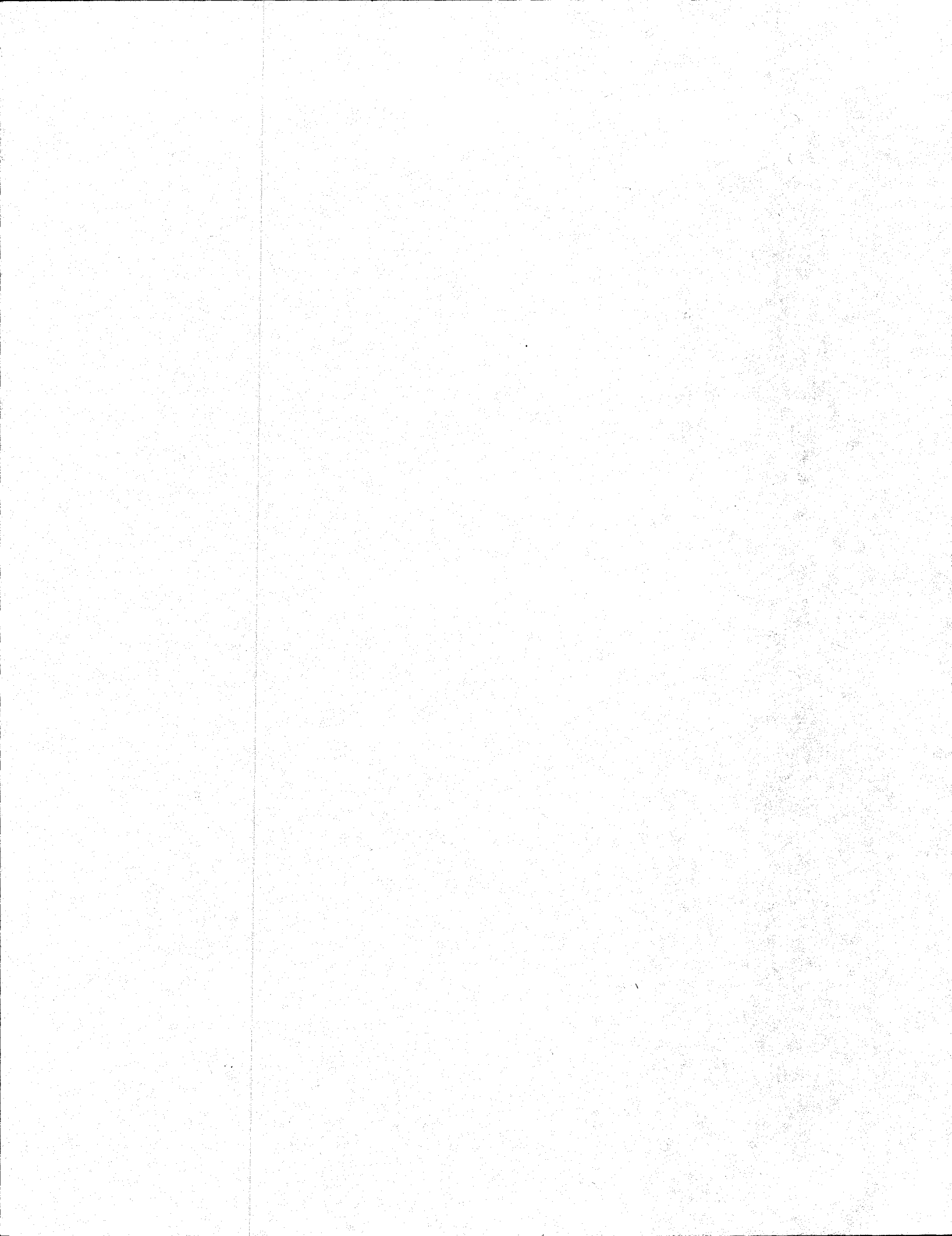
§247-7. Issuance or denial of permit involving more than three trees; fees.

Upon receipt of the aforesaid application from the Borough Engineer, the Borough Clerk shall note the action taken, and if the determination of the Borough Engineer is favorable, the Borough Clerk shall promptly issue the permit upon payment of the permit fee in the amount of \$10 per tree for the first three trees. The fee for any tree(s) removed in excess of the three tree limit shall be \$50 per tree, provided the tree is being replaced on the subject property. The replacement tree shall be at least five feet in height. If the trees are not to be replaced, the fee for each tree shall be \$100 with \$75 dedicated to the Borough's Tree Replacement Fund.

2. This ordinance shall take effect in accordance with law.

Introduced: June 16, 2008
Public Hearing: June 30, 2008
Adopted: June 30, 2008

**BOROUGH OF NEW PROVIDENCE
COUNTY OF UNION
STATE OF NEW JERSEY**



John A. Thoms, Mayor

Attest:

Wendi B. Barry, Borough Clerk

