

EXPLANATION: This Ordinance amends Chapter XVII entitled "Tree Removal/Replacement", Section 17-4 by amending the exceptions and exemptions regarding the permit requirements.

**TOWNSHIP OF WARREN  
ORDINANCE NO. 14-06**

**AN ORDINANCE AMENDING CHAPTER XVII ENTITLED "TREE REMOVAL/REPLACEMENT" BY AMENDING AND SUPPLEMENTING SECTION 17-4 ENTITLED "EXCEPTIONS AND EXEMPTIONS FROM THE FILING OF A TREE REMOVAL/REPLACEMENT PLAN**

**BE IT ORDAINED** by the Township Committee of the Township of Warren, County of Somerset, and State of New Jersey, that Chapter XVII of *The Revised General Ordinances of the Township of Warren* as heretofore supplemented and amended is hereby amended as follows:

**SECTION 1.** Section 17-4 entitled "Exceptions and Exemptions from the Filing of a Tree Removal/Replacement Plan" is hereby amended to read as follows:

**17-4 Exceptions and Exemptions from the [filing of a Tree Removal/Replacement Plan] Requirement of a Tree Removal Permit.**

Under this section, the following trees may be removed without [filing a tree removal/replacement plan] a tree removal permit:

[a. Removal of one tree for each 10,000 square feet on any developed lot within any 12 month period. Tree removal in excess of the above shall comply with section 17-5. If removal is done by anyone other than the property owner, written authorization is required from the property owner for the work to be performed.]

[b.]a. Trees which constitute a sale item in a nursery, garden, Christmas tree farm or orchard.

[c.]b. Any tree which is part of a cemetery and is not deemed a historic or specimen tree.

[d.]c. Trees directed to be removed or pruned by municipal, county or state authority pursuant to law.

[e.]d. Trees cut as part of the operation of a tree farm, according to a forestry management plan. Prior to the harvesting of any such trees, the owner(s) of property subject to such a program shall file the owner's management plan with the zoning officer and seek approval of the plan from the zoning officer. (The zoning officer may, if he deems it appropriate, refer such approval to the planning board).

[f.]e. Trees removed in the development of ponds or lakes when supervised by the Soil Conservation Service and/or the Federal or State Forestry Service. Owners of property subject to such a program must file with the planning board a letter setting forth the above, signed by the appropriate supervising authority.

[g.]f. Trees removed in conjunction with the clearing of land which is assessed as farm and which is actively devoted or to be devoted to agricultural or horticultural uses.

[h. The removal of more than six trees annually which are dead, dying or diseased, or which have suffered damage (no one shall deliberately damage a tree), or any tree or trees whose angle or growth makes it or them a hazard to structures or human life.]

[i.]g. The pruning or removal of trees within utility rights-of-way by government organizations or utility companies or maintenance of utility wires or pipelines.

[j.]h. The removal or pruning of trees within sight easements.

**SECTION II.** All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

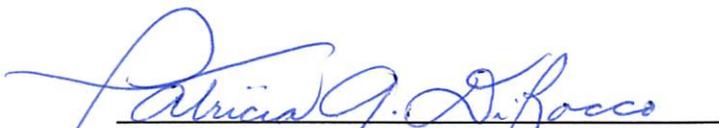
**SECTION IV.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION V.** This Ordinance shall take effect immediately upon adoption and final publication according to law.

Note to Codifier: Deleted provisions indicated by brackets [ ].  
New provision indicated in underline \_\_\_\_\_.

ATTEST:

WARREN TOWNSHIP COMMITTEE

  
\_\_\_\_\_  
Patricia A. DiRocco, RMC  
Township Clerk

  
\_\_\_\_\_  
Gary P. DiNardo, Mayor

Introduced February 20, 2014

Adopted March 13, 2014

Effective March 20, 2014