

**BOROUGH OF PARK RIDGE
ORDINANCE NO. 2018 - 004**

**AN ORDINANCE AMENDING CHAPTER 80 OF THE CODE OF THE
BOROUGH OF PARK RIDGE TO ESTABLISH REGULATIONS
GOVERNING TREE REMOVAL**

WHEREAS, the Park Ridge Green Team and the Park Ridge Shade Tree Committee have recommended that the Borough adopt an Ordinance governing the removal of trees on lands within the Borough; and

WHEREAS, the Mayor and Council find that it would be appropriate to regulate the practice of clear cutting trees on private property to better protect and advance the health, safety, and welfare of Park Ridge's residents and businesses and that the practice of indiscriminate clear cutting of trees increases the Borough's costs to control drainage and causes soil erosion, decreased soil fertility, and the deterioration of the Borough's residential character, thus reducing property values.

WHEREAS, the Mayor and Council of the Borough find that it is in the interest of all residents within the Borough to adopt an Ordinance governing the removal of trees within the Borough,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Park Ridge, in the County of Bergen and State of New Jersey that the provisions of Chapter 80 of the Code of the Borough of Park Ridge are hereby amended to include the following Sections:

SECTION ONE: Article 80 of the Code of the Borough of Park Ridge is hereby amended to include the following Article IX entitled "TREE REMOVAL."

A. SECTION 80-38 - DEFINITIONS: The words and phrases used in this chapter will have the following meanings:

CLEAR CUTTING-The removal in any calendar year of more than four trees or 25% of the trees on any lot in the Borough as depicted on the Borough's tax map or on or in any approved subdivision plat or deed, whichever lot is smaller in size, not on any Borough right-of-way.

PERSON-Any individual, sole proprietor, corporation, partnership, limited-liability company, or any other business.

TREE- Any living woody perennial plant with a trunk having a diameter of at least eight inches when measured at a point that is four feet six inches above the level of the existing grade, or, for a multiple trunked tree, with the trunk with the largest diameter that, when multiplied by 1.5, is at least eight inches.

B. SECTION 80-39- CLEAR CUTTING PROHIBITED: Clear Cutting Prohibited

No person may clear cut any lot in the Borough without obtaining a permit from the Borough.

C. SECTION 80-40- APPLICATION FOR CLEAR CUTTING PERMIT: Applications for permission to clear cut a lot are to be filed with the Zoning Office and will state the information requested on the application, including:

1. The applicant's name, address, and telephone number.
2. The address, block and lot number, and location of the property.
3. A site plan or survey of the property showing the location of the trees proposed to be cut.
4. The applicant also will use visible weatherproof markings on the trees proposed to be cut, provided that no paint or chemicals that are harmful to the trees are used.
5. An Application Fee in the amount of \$25.00 to be paid upon the filing of an application under this Chapter.

D. SECTION 80-41- REVIEW OF APPLICATIONS: The Zoning Officer will grant or deny any application filed under this Chapter within 30 days of the receipt of the application and fee, unless the applicant consents to an extension. If no action is taken by the Zoning Officer within this time period, then the application will be deemed denied. Any application for clear cutting will be reviewed by the Zoning Officer and will be granted or denied on written notice sent to the applicant at the address stated in the application. The Zoning Officer may request comment on the application from the other Borough employees, Construction Official, Green Team, Shade Tree Committee, Borough Planner, and/or Borough Engineer.

E. SECTION 75-34- ENFORCEMENT AND PENALTIES: The Borough's Zoning Officer will enforce this chapter. For violation of this chapter, there shall be a fine of \$250. Each tree that is cut in violation of this chapter shall be considered a separate violation. In addition to fines, the Zoning Officer may require implementation of any remedial measures recommended by the Borough Engineer and/or Borough Planner to correct the violations of this chapter.


SECTION TWO: Severability. The provisions of this ordinance are hereby declared to be severable. Should any section, paragraph, subparagraph, provision, sentence, or part hereof be declared invalid or unconstitutional, said finding shall not affect any other section, paragraph, subparagraph, provision, sentence, or part thereof and the remainder of this ordinance shall be deemed valid and effective.

SECTION THREE: Effective Date. This Ordinance shall take effect immediately following final passage, adoption and publication as provided by law."


Adopted 03/27/18 on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Epstein			✓			
Farinero		✓	✓			
Metzdorf			✓			
Mintz				✓		
Oppelt				✓		
Capilli	✓		✓			

APPROVED:


KEITH J. MISCIAGNA, MAYOR

Attest:


Magdalena Giandomenico
Acting Borough Clerk