

**TOWNSHIP OF WYCKOFF
SCOTT PLAZA
WYCKOFF, NEW JERSEY**

ORDINANCE NO. 1822

NOTICE

NOTICE IS HEREBY GIVEN, that the proposed Ordinance was introduced and passed on first reading at a meeting of the Wyckoff Township Committee, of the Township of Wyckoff, Bergen County, New Jersey, held on March 21, 2017, and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the said Wyckoff Township Committee to be held in the Municipal Court Room at Memorial Town Hall, 340 Franklin Avenue, Wyckoff, New Jersey, on the 4th of April, 2017, at 8:00 P.M., or as soon thereafter as the matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same.

TAKE FURTHER NOTICE, that the Municipal Clerk has posted a copy of said Ordinance on the Bulletin Board in Memorial Town Hall and will make copies of the Ordinance available to members of the general public who request the same.

Joyce C. Santimauro
Municipal Clerk

The ORDINANCE referred to is as follows:

ORDINANCE #1822

AN ORDINANCE TO AMEND CHAPTER 163 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, "STORMWATER MANAGEMENT," TO ESTABLISH A NEW SECTION, 163-5, "PROTECTION OF TREES" AND RENUMBER EXISTING SECTION 163-5 "SEVERABILITY" THROUGH SECTION 163-18 "WHEN EFFECTIVE" TO BE 163-6 "SEVERABILITY" THROUGH 163-19 "WHEN EFFECTIVE".

For the March 24, 2017 issue of the Ridgewood News

TOWNSHIP OF WYCKOFF

ORDINANCE #1822

AN ORDINANCE TO AMEND CHAPTER 163 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, "STORMWATER MANAGEMENT," TO ESTABLISH A NEW SECTION, 163-5, "PROTECTION OF TREES" AND RENUMBER EXISTING SECTION 163-5 "SEVERABILITY" THROUGH SECTION 163-18 "WHEN EFFECTIVE" TO BE 163-6 "SEVERABILITY" THROUGH 163-19 "WHEN EFFECTIVE".

BE IT ORDAINED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that a new section 163-5, "Protection of Trees" is hereby established.

SECTION 1

Chapter 163-5, Protection of Trees

- A. All applications for permits as described above in Section 163-3 shall contain a landscaping plan which shall depict all existing and proposed trees and vegetation as well as the location and size of proposed seepage pits and/or dry wells for the project. For purposes of this section, a tree shall be defined as a deciduous or evergreen plant having a diameter of 6 inches or greater as measured 4.5 feet above the natural grade.
- B. Site Plans and Landscaping Plans Shall Include:
 - a. All existing trees which measure 6 inch diameter or greater as measured at 4.5 feet above natural grade.
 - b. Demarcation of all trees proposed to be removed from the site.
 - c. Demarcation of all trees to be preserved on the site.
 - d. Tree preservation and protection details must be clearly shown on the plan protecting all existing trees.
 - d. Demarcation of all trees located in the public right of way with details confirming such trees will be protected and only removed with Township prior written approval.
 - e. Details of an irrigation plan.
 - f. Soil erosion control measures including silt fence and limit of disturbance fencing.
- C. Prior to obtaining construction permits in response to the above referenced applications, the Township Engineer and/or Construction Official, hereinafter referred to as Township Official, shall perform a site inspection to review the above. If in the discretion of the Township Official the removal of certain trees from the site is unnecessary, unwarranted, or would have a negative impact on stormwater management, such trees shall be preserved and will remain. A revised site plan shall be submitted consistent with the requirements of the Township Official, reflecting such change.
- D. If the applicant disagrees with the Township Official's determination, a letter of appeal may be sent to the Wyckoff Shade Tree Commission for further review and the Shade Tree Commission shall make a final determination with regards to the treatment of such trees. Work may be suspended by the Township Official until said matter is resolved.

- E. No trees designated to be preserved pursuant to the approved landscape plan and issued permit and/or determination of the Shade Tree Commission shall be removed or damaged.
- F. Failure of the owner and/or agent to comply with the terms and conditions of the issued permit and approved landscape plan, including but not limited to excavation and/or stockpiling soil within a tree protection zone, shall constitute a violation.
- G. Prior to release of any permits, all soil erosion control measures, tree protection fencing and limit of disturbance fencing shall be installed to the satisfaction of the Township Official and shall be maintained throughout the construction process.
- F. Penalties for violations of site plan and/or landscape plan:
 - a. If the property owner/agent violates any requirements of this section 163-5 which results in the loss of a tree(s), they shall be subject to a fine of \$2,500.00 per lost tree. Such fine shall be payable through the Violations Bureau. In addition, the property owner shall further be required to replant trees on the property pursuant to the Township Official's direction and discretion. All violations of this ordinance shall be subject a stop work order.
 - b. In addition, all other violations of this section 163-5 by the property owner and/or agent, which do not result in the loss of a tree(s), shall result in a fine of \$350 per violation to the property owner and/or agent. Such fines shall be payable through the Violations Bureau. Each day that the violation shall continue to exist shall constitute a separate and individual violation of this ordinance.

SECTION 2

Sections 163-5 "Severability" through 163-18 "When Effective" shall be renumbered Sections 163-6 "Severability" through 163-19 "When Effective".

SECTION 3

Except as herein amended and supplemented, all other provisions of Chapter 163 of the Code of the Township of Wyckoff shall remain in full force and effect.

SECTION 4

This ordinance shall take effect immediately upon final passage and publication as required by law.