

**HARDING TOWNSHIP
ORDINANCE NO. 09-16**

**AN ORDINANCE OF THE TOWNSHIP OF HARDING AMENDING CHAPTER 171 OF THE
TOWNSHIP CODE ENTITLED “FEES” AND SPECIFICALLY CHAPTER 171-20 ENTITLED
“TREE CONSERVATION”**

WHEREAS, the Township’s Tree Conservation Officer, in conjunction with the Shade Tree Advisory Committee, have requested that a certain amendment be made to the Township’s Fee Ordinance to permit the collection of an escrow deposit, in addition to a permit fee, to ensure tree replacement plantings will occur and survival initially guaranteed after a permit is issued; and

WHEREAS, the Township Committee of the Township of Harding finds that it is necessary and in the public interests to make these amendments to Chapter 171-20 of the Code of the Township of Harding based upon these recommendations.

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Harding, in the County of Morris, State of New Jersey, that the following section of Chapter 171 of the Township Code entitled “Fees” be and is hereby amended as follows [added portions are **bolded** and underlined; deleted portions have strikethrough]:

SECTION 1. §171-20 Tree conservation.

	Application Fee	<u>Initial Escrow Deposit</u>
Application for cutting down or removing trees, except that no fees shall be charged to cut down or remove in connection with a homeowners existing personal residence	\$221	
<u>Tree Replacement Performance Escrow Deposit</u>		<u>\$300.00 per tree *</u>

***Following completion of replanting and inspection by Township, 75% of the escrow will be returned to applicant if replanting is deemed satisfactory. Remaining balance of escrow (25%) shall remain posted with Township following the initial inspection for two year period to guarantee tree viability. After two year period has elapsed, applicant shall contact Township for final inspection and to obtain release of balance of escrow.**

SECTION 2. At least three copies of said full Ordinance are on file in the Office of the Municipal Clerk for public examination and acquisition. Copies are available for inspection or acquisition during regular weekday working hours and arrangements have been made for the publication of said proposed Ordinance in pamphlet or other similar form which will be available for purchase from the Township Clerk.

SECTION 3. This ordinance shall take effect upon final passage and publication according to law.

SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a 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.

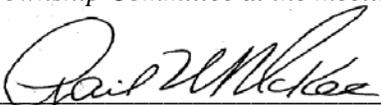
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ADOPTION

Dated: December 12, 2016

I, Gail W. McKane, Township Clerk of the Township of Harding, County of Morris, State of New Jersey, do hereby certify the foregoing ordinance to be a true and correct copy of the ordinance adopted by the Township Committee at the meeting held on December 12, 2016.



Gail W. McKane, Township Clerk