



## Legislation Text

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File #: 23-0581, Version: 1

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**AN ORDINANCE AMENDING TITLE XXVII, PARKS, TREES AND PLANTS, CHAPTER 1, TREES AND SHRUBBERRY, SECTION 5, PERMIT TO REMOVE OR DESTROY TREES OR PLANTS REQUIRED, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY, 2000, AS AMENDED AND SUPPLEMENTED, BY CREATING A NEW SUBSECTION (C) REQUIRING A WRITTEN PERMIT FROM THE DEPARTMENT OF PUBLIC WORKS AND A REQUIRED FEE FOR REQUESTS TO REMOVE, DESTROY OR CUT DOWN TREES LOCATED ON PRIVATE PROPERTY.**

**Deferred 8-a 041923**

**Deferred 9-a 050323**

**Sponsor(s): Council Member, Luis A. Quintana**

**WHEREAS**, the Municipal Council has determined by this amendment to Ordinance to impose certain requirements on the owners of private property located in the City of Newark who desire to remove, destroy or cut down any tree(s) located on the private property by requiring a written permit to be obtained from the Department of Public Works, City of Newark for the proposed work to be performed.

**NOW THEREFORE BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, THAT:**

**SECTION 1.** The foregoing Whereas Clause is incorporated herein by reference and made as part hereof.

**SECTION 2.** Title XXVII, Parks, Trees and Plants, Chapter 1, Trees and Shrubbery, Section 5, Permit to Remove or Destroy Trees or Plants Required, of the Revised General Ordinances of the City of Newark, New Jersey, 2000, as amended and supplemented, is hereby amended and supplemented to include a new subsection C, which provides as follows: Any person desiring to remove, destroy or cut down any tree located on private property may apply to the Department of Public Works to obtain a written permit for such work to be performed and pay the required fee, said fee to be determined by the Department of Public Works. If the Director of the Department of Public Works shall approve the proposed work to be performed, he/she shall issue a written permit for such work to be performed in strict accordance with said permit and any terms contained therein.

**SECTION 3.** Any existing ordinance, or part thereof, inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION 4.** If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and

effective.

**SECTION 5. Codification.** This Ordinance shall be a part of the Code of the City of Newark as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Code. The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Newark in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

**SECTION 6.** This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

### **STATEMENT**

This Ordinance amend and supplements Title XXVII, Parks, Trees and Plants, Chapter 1, Trees and Shrubbery, Section 5, Permit to Remove or Destroy Trees or Plants Required, by creating a new subsection (C)) requiring a written permit from the Department of Public Works and a required fee for requests to remove, destroy or cut down trees located on private property.