

Ordinance # 24-10

**AN ORDINANCE OF THE BOROUGH OF STOCKTON
AMENDING ORDINANCE #24-02, "TREE REMOVAL-
REPLACEMENT ORDINANCE"**

BE IT ORDAINED by the Mayor and Council of the Borough of Stockton in Hunterdon County, New Jersey as follows:

Section 1. Amendment to Section IV, "Exemptions."

Section IV of Ordinance #24-02, which sets forth categories of tree removal that are exempt from the permit, fee and tree replacement standards set forth in Section III of Ordinance #24-02, is hereby amended to add a new category as follows (additions are underlined; deletions are [bracketed]):

SECTION IV. Exemptions:

Except as specifically provided below, all persons shall comply with the permit and fee requirement and tree replacement standard outlined above. While the following categories are exempt from the requirements above, the person removing the trees shall submit sufficient documentary evidence (such as photographs or written advice from an arborist or LTE) demonstrating the exemption prior to the tree removal:

- A. Residents who remove less than four (4) trees per acre that fall into category 1, 2, or 3 of the Tree Replacement Requirements Table within a five-year period;
- B. Tree farms in active operation, nurseries, fruit orchards, and garden centers;
- C. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the Borough;
- D. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan;
- E. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
- F. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife; [and]

G. Hazard trees; and

H. Any trees removed in furtherance of the clearing of land which is assessed as farmland and which is actively devoted or to be devoted to agricultural or horticultural use.

Section 2. Severability.

Each section, subsection, sentence, clause, and phrase of this ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this ordinance.

Section 3. Repealer.

All ordinances or parts thereof inconsistent with this ordinance are hereby repealed.

Section 4. Effective Date.

This ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Adopted: September 16, 2024