

ORDINANCE OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN, STATE OF NEW JERSEY REPEALING CHAPTER 5, BOARD OF ASSESSORS, CHAPTER 14, ECONOMIC DEVELOPMENT COMMITTEE, CHAPTER 70, HOUSING; RENT CONTROL, AND CHAPTER 112, TAXICABS, IN THE CODE OF THE BOROUGH OF BARRINGTON

ARTICLE I. CHAPTER 5 – BOARD OF ASSESSORS

ARTICLE II. CHAPTER 14 – ECONOMIC DEVELOPMENT COMMITTEE

ARTICLE III. CHAPTER 70 – HOUSING; RENT CONTROL

ARTICLE IV. CHAPTER 112 – TAXICABS

ARTICLE V.

ARTICLE VI.

BOROUGH OF BARRINGTON

Introduced: April 13, 2021

By: _____
Patti Harris, Mayor

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ORDINANCE NO. 1139

ORDINANCE OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN, STATE OF NEW JERSEY REVISING AND REPLACING CHAPTER 116, TREES, IN THE BOROUGH CODE

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Barrington, County of Camden, and State of New Jersey that Chapter 116, Trees, is hereby revised and replaced in the Code of the Borough of Barrington, as follows:

ARTICLE I. Curbside Trees

- 116-1. Establishment
- 116-2. Power
- 116-3. Costs and Improvements
- 116-4. Curbside tree planting; official species.
- 116-5. Tree placement; spacing.
- 116-6. Duties.
- 116-7. Tree topping.
- 116-8. Pruning; corner clearance.
- 116-9. Certified tree expert.
- 116-10. Work by property owners.
- 116-11. Items affixed to curblane streets; prohibition.
- 116-12. Penalty for violation of ordinance; enforcement.
- 116-13. Hazardous conditions.

Section 116.1. Establishment.

The regulation of planting, removing and control, along with the maintenance of shade trees and ornamental trees and shrubbery along the curbside of streets, highways, public places, parks and parkways, other than county parks and parkways, within the Borough of Barrington, shall be managed and under the control of the Superintendent of Public Works and the Borough Clerk or their designee.

Section 116.2. Power.

The Superintendent of Public Works, in consultation with the Borough Clerk, shall possess and be vested with the following powers:

- A. To exercise full and exclusive control over the regulation, planting, removal and maintaining of the shade and ornamental trees now located, or which may hereafter be planted in the public right-of-way. Any planting on private property will be with the consent of the homeowner.
- B. The Public Works Department, under the direction of the Superintendent, will remove or require the removal of any trees, or part thereof, dangerous to public safety in the public right-of-way. Guidelines determining cause for removal will be established.

- C. To develop a program of tree planting and overall beautification in areas along the public right-of-way; to develop a plan for the care and control of existing trees; to select sites where other trees can be removed; and supervise planting of new trees in the town where they are needed. Any planting on private property will be with the consent of the homeowner.
- D. To provide a procedure for removing or trimming existing trees where necessary because the tree is either dead, diseased or injured or interfering with utility overhead wires in the public right-of-way.

Section 116.3. Costs and Improvements.

The costs of any work undertaken pursuant to this article shall be subject to prior approval by Mayor and Council, either by annual budget allotment or by special appropriation as warranted.

Section 116.4. Curbside tree planting; official species.

- A. The following list constitutes the official curbside tree species to be considered for planting in the public right-of-way:

Shade Trees

Hornbeam
Ginkgo-male
Maple
Oak
Elm
Linden
Sweet Gum
Tulip Tree
Zelkova

Smaller Species

Japanese Lilac
Ornamental pear (Chanticleer and Callery)

Section 116-5. Tree placement; spacing.

No tree may be planted closer than:

- A. Ten feet from a utility pole.
- B. Seven feet from a fire hydrant.
- C. Twenty-five feet from an existing tree.
- D. Twenty-five feet from a street intersection.
- E. Seven feet from a water, sewer, gas or other underground utility.
- F. Seven feet from the widest part of a driveway entrance.

Section 116-6. Duties.

- A. The Superintendent of Public Works, in consultation with the Borough Clerk, shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the curbside lines of all streets, avenues, lanes and public grounds as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds.
- B. The Public Works department, under the direction of the Superintendent, may remove, or cause or order to be removed, any tree or part thereof which is in any unsafe condition or which by reason of its nature is injurious to sewer lines, utility or water lines or other public improvements, or is affected with any injurious microbe or pest in the public right-of-way.

Section 116-7. Pruning; corner clearance.

The Public Works Department, under the direction of the Superintendent, shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light or interferes with visibility of any traffic control device or sign.

116-8. Certified tree expert.

In order to assess the health of any tree within the right-of-way in the Borough of Barrington, a certified tree expert will be requested to examine said tree that is in the public right-of-way.

116-9. Work by property owners.

Property owners who wish to prune or remove a curbside tree abutting their property within the right-of-way must obtain approval from the Superintendent of Public Works prior to commencement of the work.

116-10. Items affixed to curblines streets; prohibition.

It is unlawful to attach in any manner chains or signs of any sort to any curbside tree or to place nails of any type into any curbside tree, except that which the Police Department deems for emergency purposes.

116-11. Penalty for violation of ordinance, enforcement.

Trees will be protected from said vandalism and other offenses by reporting the matter to the Police Department.

116-12. Hazardous conditions.

The Public Works Superintendent will have the authority to act on any condition hazardous to public safety with approval from the Public Works Director.

ARTICLE II.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith. If any section, subsection, paragraphs, sentence, clause, phrase or

word contained in this code shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this code which shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared to be severable.

ARTICLE III.

This Ordinance shall take effect upon passage and publication according to law.

BOROUGH OF BARRINGTON

BY: _____
PATTI HARRIS, MAYOR

ATTEST: _____
TERRY SHANNON, RMC

INTRODUCED: April 13, 2021

ADOPTED: