

Township of West Milford

Passaic County, New Jersey

~ Ordinance 2024 - 017 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING CHAPTER 135 “FEES AND COSTS” WITHIN THE CODE OF THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Township of West Milford is located entirely within the Highlands Preservation Area and considered an existing Tier A municipality under the enhanced regulations of the Tier A Municipal Stormwater General Permit (R9) by the New Jersey Department of Environmental Protection according to N.J.A.C. – 7:14A, Municipal Stormwater General Permit; and

WHEREAS, the enhanced regulations require municipal review and update to certain existing ordinances to maintain compliance, including regulations for tree removal; and

WHEREAS, the existing Chapter 135 Fees and Costs Section 38 Tree Removal requires amendment in coordination with the amendment to the Tree Removal ordinance; and

WHEREAS, the Mayor and Township Council have reviewed said revisions and believe that the changes are in association with the proposed amendment of the Tree Removal chapter of the Code and in the public interest and required by the NJDEP regulations.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, that the Chapter 135 Fees and Costs Section 38 Tree Removal of the Township of West Milford shall be amended as follows:

SECTION 1. Chapter 135 “Tree Removal”, Section 38 “Tree Removal” is amended to read as follows:

§ 135-38 Tree removal.

In accordance with Chapter 371, Tree Removal, upon application for a permit, the applicant shall pay to the Township the following fees:

- A. Filing Fee: \$25
- B. Inspection Fee:
 - a. Applications consisting of one acre or less: \$50
 - b. Applications consisting of greater than one acre but less than five acres: \$100
 - c. Applications consisting of five acres or greater: \$100 plus \$20 for each additional acre beyond five acres, rounded to the nearest acre
 - d. There is no maximum inspection fee
- C. Replacement Plan Review Fee:
 - a. For any application consisting of one acre or less: \$25
 - b. For each additional acre: \$25

SECTION 2. All ordinances of the Township of West Milford which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, preempted by Federal or State law, or otherwise invalid by any court or competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. No provision of this Ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this Ordinance or from other law.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law and upon the posting of appropriate signs.

SECTION 6. This Ordinance may be renumbered for codification purposes.

Introduced April 3, 2024
Adopted: May 1, 2024
Effective Date: May 21, 2024

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ATTEST:

William Senande, Township Clerk

By: _____
Michele Dale, Mayor