

LEGAL NOTICE
ORDINANCE NO. 34
2024
TOWNSHIP OF WAYNE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

**AN ORDINANCE TO AMEND CHAPTER 129, PARKS AND RECREATION, OF
THE CODE OF THE TOWNSHIP OF WAYNE**

WHEREAS, the Township seeks to maintain the health, safety, and welfare of the general public by implementing safeguards regarding the removal of trees within the Township.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Wayne in the County of Passaic, State of New Jersey, as follows:

SECTION 1. Chapter 129, Parks and Recreation, Section 129-18 (Tree Removal Permit; non-Township trees), of the Code of the Township of Wayne is hereby amended and supplemented to read as follows [additions by **bold**, deletions by ~~strikethrough~~]:

§ 129-18 - Tree Removal Permit; non-Township trees

A. No person shall, without first obtaining a permit from the Director of Parks and Recreation or his/her designee, remove or cause to be removed ~~more than 4~~ trees which are **six (6)** ~~eight (8)~~ inches or greater in diameter ~~or a tree of 18 inches or greater in diameter~~. Application shall be made at the office of the Division of Parks and Forestry on a prescribed form. No tree removal permit shall be issued unless the tree service provider engaged for the work described in the application meets the requirements of the Tree Expert and Tree Care Operator Licensing Act, N.J.S.A. 45:15C:11 et seq., and the regulations promulgated thereunder at N.J.A.C. 7:3A-1.1 et seq.

SECTION 2. All other provisions of Chapter 129 of the Code of the Township of Wayne shall remain unchanged.

SECTION 3: Severability. The provisions of this Ordinance are declared to be severable and if any section, sub-section, sentence, clause, phrase, or any other part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the validity of the remaining sections, subsections, sentences, clauses, and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4: Repeal of Inconsistent Provisions. All ordinances or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 5: Codification. This Ordinance shall be a part of the Code of the Township of Wayne as though codified and fully set forth therein. The Township Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Township Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Wayne 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 in the manner prescribed by law at N.J.S.A. 40:69A-181.

ATTEST:

PAUL V. MARGIOTTA
TOWNSHIP CLERK

JASON DESTEFANO
PRESIDENT OF THE COUNCIL

NOTICE

I hereby certify that the aforementioned ordinance was published in the Herald News, a newspaper published in the County of Passaic and circulated in the Township of Wayne, in the issues of June 12, 2024 and June 26, 2024.

PAUL V. MARGIOTTA
Township Clerk

This ordinance is hereby
approved this 20th day
of June 2024.

ADOPTED ON: June 19, 2024

CHRISTOPHER P. VERGANO
Mayor