

**TOWNSHIP OF CHESTERFIELD**

**ORDINANCE 2015-8**

**AN ORDINANCE OF THE TOWNSHIP OF CHESTERFIELD  
AMENDING PROVISIONS OF CHAPTERS 130 AND 170  
OF THE TOWNSHIP CODE REGARDING STREET TREES**

**BE IT ORDAINED AND ENACTED** by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey as follows:

**WHEREAS**, the installation and maintenance of street trees has become a significant issue and expense for the Township since the roots of such trees often damage sidewalks and other adjacent infrastructure, interfere with Public Works operations and vehicles; and

**WHEREAS**, such trees, nevertheless, provide cooling shade and a pleasant atmosphere for the citizens of the Township; and

**WHEREAS**, the Township Committee, therefore, wishes to maintain the requirements for street trees but modify such requirements to minimize the potential for damage to infrastructure and Township vehicles and expenses related to Public Works operations;

**NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED** that the following sections of the Code of the Township of Chesterfield are amended as follows:

**SECTION I.** Section 130-80.B of the Township Code is amended by adding the following additional sub-paragraphs as sub-paragraphs (6), (7) and (8):

(6) No street trees shall be planted or re-planted within the “park strip” of any street or road in the Township. The park strip means that area of grass between the edge of a sidewalk and the curb or pavement line of the adjacent street. Street trees shall be planted toward the developable portion of a lot, not nearer than four (4) feet from the edge of the sidewalk. Where no sidewalk exists or is contemplated, street trees shall be planted ten (10) feet from the edge of the street paving.

(7) No street trees shall be planted within any utility easement.

(8) Street trees shall be maintained by the property owner or, if within the street right of way, by the property owner adjacent to the right of way in accordance with the provisions of §152-6 and §170-29.A of the Township Code.

**SECTION II.** Section 170-29.A is amended by replacing the fifth and sixth sentences of this Section with the following:

A tree that has been removed pursuant to this section may, at the option of the property owner, be replaced in accordance with the provisions of §130-80.B and the replacement policy, including approved species, established from time to time by Resolution of the Township Committee. The owner shall maintain all trees in accordance with the requirements of this section and §152-6 of the Township Code.

**ARTICLE III. Repealer, Severability and Effective Date.**

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall become effective immediately upon its adoption, and shall apply to any future funds requested of the Township Committee by non-profit organizations.

**CHESTERFIELD TOWNSHIP COMMITTEE**

Introduced:

Adopted: