

## ORDINANCE 2018-11

### AN ORDINANCE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, REPEALING AND REPLACING CHAPTER XXII, TITLED “PROTECTION OF TREES”, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF CHATHAM, AND REPLACING WITH A NEW CHAPTER XXII, “TREE MANAGEMENT”.

**BE IT ORDAINED**, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, as follows:

Section 1. Chapter XXII, titled “Protection of Trees”, is hereby repealed.

Section 2. Chapter XXII shall be replaced as follows:

#### CHAPTER XXII TREE MANAGEMENT

##### 22-1 PURPOSES.

- a. To regulate the removal and replacement of trees within the Township and to provide penalties for violations of such regulations.
- b. To preserve trees within the Township, through both protection and replacement, as well as to control indiscriminate destruction of trees. This chapter places special emphasis on the preservation and replacement of trees around the perimeter of a property. It is not intended to restrict homeowners from reasonable utilization of their property or from removing dead, diseased, or hazardous trees. It is not intended to restrict homeowners from conducting routine pruning of trees or other maintenance procedures in areas of overgrown vegetation.

##### 22-2 DEFINITIONS.

As used in this chapter:

*Conceptual Tree Management Plan* shall mean an engineered plan of sufficient detail to clearly show the intended scope and design of the proposed development including, but not limited to, building footprints, changes in imperious cover, location of drainage features, and pools. The plan must also show existing property features, property lines, setback lines, and all trees located on the property. The plan shall be submitted for the sole purpose of evaluating the proposed tree removal and possible alternative designs to reduce or eliminate the removal of mature or healthy trees with desirable characteristics. The plan is not intended to be a fully engineered Lot Grading Plan and does not require architectural plans.

*Dead tree* shall mean a tree which has ceased to physiologically function. Dead trees typically are devoid of leaves and have loose bark.

*Developed lot* shall mean a legally established and existing parcel of land, with boundaries determinable from official records, having a building, which is occupied or capable of being occupied, located thereon.

*Diameter at Breast Height (DBH)* shall mean the diameter of a tree measured at a point four and one-half (4.5) feet above the ground level on the downhill side for existing trees.

*Diseased tree* shall mean a tree which is terminally infected with fungus, virus or insects.

*Dripline area* shall mean the circular area surrounding a tree, the radius of which area shall be the distance from the trunk of the tree to the outermost branches of the tree.

*Licensed Tree Expert (LTE)* shall mean a person licensed to provide tree expert services in the State of New Jersey by the New Jersey Board of Tree Experts under the New Jersey Department of Environmental Protection pursuant to N.J.S.A. 45:15C-11, et. seq.

*Municipal land* shall mean any property owned by the Township, including any lot or right-of-way for streets, sidewalks, walkways or municipal utilities except for sanitary sewers and storm sewers on developed lots. For the purposes of this chapter, a right-of-way for a street, sidewalk,

walkway or municipal utility which is dedicated for public use on a subdivision plot approved by the Township shall be deemed to be property owned by the Township only upon, and after, the formal acceptance of such right-of-way by the Township.

*Person* shall mean any individual, firm, partnership, corporation, company, association or other legal entity, including any trustee, receiver, assignee or other similar representative.

*Replacement tree* shall mean a balled two and one-half (2.5) inch caliper deciduous shade tree or conifer, as measured at a point four and one-half (4.5) feet above the base of the trunk, which species is native and long lasting. A list of recommended replacement trees is available from the Township Land Development Office and in Appendix A hereto.

*Screening* shall mean one or more trees or hedges, or fencing, which provides a visual barrier between properties.

*Subdividable lot* shall mean an undeveloped portion of a legally established and existing parcel of land, which portion meets the minimum zoning requirements in the zone in which it is located. Subdividable lot shall not include that portion of the parcel of land which meets the minimum zoning requirements and upon which is located a building which is occupied or is capable of being occupied.

*Township* shall mean the Township of Chatham in the County of Morris.

*Tree* shall mean any woody perennial plant with a main stem or trunk exceeding twelve (12) inches in diameter (36.70 inches in circumference) DBH.

*Tree removal* shall mean all trees permitted to be cut down. If stumps are removed, they shall be disposed of properly and not buried on the property.

*Tree removal permit* shall mean a permit issued pursuant to the provisions of this chapter authorizing the removal of a tree or trees located upon a developed lot, undeveloped lot or subdividable lot, located within the Township.

*Tree replacement plan* shall mean a plan including tabular and pictorial markings regarding the total number and size of trees to be removed, the total number of trees that will remain and the size of said trees, the total number of replacement trees, and the total number of trees to be protected.

*Undeveloped lot* shall mean a legally established and existing parcel of land, with boundaries determinable from official records, which does not have a building capable of being occupied, located thereon. Whenever approval is granted by the Planning Board to an application for preliminary subdivision, each lot shown upon the subdivision plot which does not have a building located thereon shall be deemed a separate undeveloped lot for the purposes of this chapter. None of the following shall be considered an undeveloped lot for the purposes of this chapter:

- a. Municipal land as defined herein;
- b. Any parcel of land owned in fee by the United States of America, the State of New Jersey, the County of Morris or a public utility company regulated by the New Jersey Public Utilities Commission; or
- c. Any lot upon which there is conducted an income-producing business involving the removal of trees, provided that the conduct of such business is a permitted use under applicable zoning regulations or a legally recognized nonconforming use.

## **22-3 GENERAL PROVISIONS.**

### **22-3.1 Location of trees; Determination.**

A tree shall be considered to be located upon a lot if any part of the trunk or main stem of the tree is located upon such lot. If the trunk is located on more than one (1) lot, the tree shall be considered to be located on each such lot. If a tree is located upon two (2) or more lots for the purposes of this chapter, any application for work related to said tree shall be made upon mutual agreement of the respective owners as evidenced by their signatures upon the application.

### **22-3.2 Applicability.**

Any person who proposes to remove any tree (as defined herein) on a developed lot, an undeveloped lot, or a subdividable lot, shall apply for a tree removal permit.

## **22-4 ACTIVITIES INVOLVING TREES ON MUNICIPAL LAND, DEVELOPED, UNDEVELOPED AND SUBDIVIDABLE LOTS.**

### **22-4.1 Responsibilities of Owner and Contract-Purchaser.**

An owner or contract-purchaser of a developed, undeveloped or subdividable lot, who employs any person to perform any work upon such lot, shall not permit such person to violate any provision of this chapter.

### **22-4.2 Prohibited Activities.**

Except as provided in this chapter, no person shall:

- a. Injure, deface, poison or damage any tree located on any developed, undeveloped or subdividable lot located within the Township;
- b. Nail or otherwise attach anything to any tree located within the Township;
- c. Operate, place or maintain within the drip line area of any tree, or within six (6) feet of the trunk of any tree, whichever is greater, located on any undeveloped or subdividable lot within the Township, any machinery, equipment, heavy objects, stone, rocks, cement, earth, soil or other substance, which may harmfully affect such tree by unduly compressing the earth or otherwise impeding or preventing the access of water or air to the roots of such tree; or
- d. Excavate around, remove earth or soil from, or cause any water to flow upon the roots of, any tree on any undeveloped or subdividable lot located within the Township in any manner that may harmfully affect such tree.

### **22-4.3 Regulated Activities.**

- a. No person shall remove any tree from any developed lot, undeveloped or subdividable lot, until a tree removal permit has been obtained with respect to such lot in accordance with the provisions of this chapter.
- b. No public utility, except as authorized by the Vegetation Management Rules (N.J.A.C. 14:5-9.1), shall perform, or authorize the performance of, any maintenance work on any overhead wires, underground pipes or conduits, wherein any pruning, defacing, scarring or removal of trees will occur, without having previously applied for, and obtained, approval from the Township Land Use Office. Public utilities shall follow the American National Standards Institute (ANSI) A300 for pruning and maintenance of trees.

### **22-4.4 Tree Replacement and Reforestation.**

- a. If the removal of one or more trees is requested and the lot is at, or below, the recommended density set forth in this chapter, then replacement trees shall be required for each tree removed. The Zoning Officer or designee shall have the discretion to require the planting of hedges or other screening as an alternative to replacement tree(s) if same would provide a better visual barrier and/or better serve the purpose of this chapter.
- b. Exceptions to the planting of replacement tree(s) may be granted by the Zoning Officer or designee for the following conditions: Trees that are deemed by the Zoning Officer or designee to be (1) significantly damaged by catastrophic wind or storm, (2) unsafe, (3) dead, or (4) diseased, or (5) where conditions will not likely lead to the planting of additional trees (e.g. meadows). If the owner or applicant reasonably believes that the tree constitutes an imminent hazard to life or property, the tree may be removed provided that a permit is applied for as soon after the removal as reasonably practicable.
- c. Replacement tree(s) shall be located on site, unless otherwise approved by the Zoning Officer or designee.
- d. The type of replacement trees to be planted shall be in accordance with Appendix A: hereto, unless otherwise approved by the Zoning Officer or designee. Native species are preferred.

- e. Replacement trees required pursuant to this chapter shall be in addition to any trees required pursuant to subsection 30 - 63.1h (addressing the planting of shade trees in subdivisions).
- f. Unless approved by the Zoning Officer or designee, replacement trees shall be installed within the following setbacks (i.e., trees shall be planted in the area between the property line and the setback line):

Rear Yard	25 feet
Side Yard	10 feet
Front Yard	20 feet

- g. Trees removed within the right-of-way, or within 20 feet of the front yard property line, shall be replaced (one for one) with four (4) inch caliper deciduous shade trees. Replacement trees shall be spaced a minimum of forty (40) feet apart. The maximum required number of four (4) inch caliper replacement trees in the front yard is two (2) for lots less than 110 feet wide. For wider lots, one additional tree shall be installed for every forty (40) feet of lot width greater than 110 feet.
- h. An exception to the required number of replacement trees may be granted by the Zoning Officer or designee if the Applicant's LTE determines that planting the number of required replacement trees is not feasible due to lack of canopy space, poor soils or other reasonable site constraints.

**22-4.6 Site Protection During Construction.**

During any construction work, the following tree protection measures shall be implemented:

- a. Tree protection measures, including snow fencing or other durable material, shall be installed on the lot around the trees to be protected, and the proper installation of said protection measures shall be verified by the Zoning Officer or designee prior to soil disturbance;
- b. Protective barriers shall not be supported by the plants or trees they are protecting, but shall be self-supporting. Barriers shall be a minimum of four (4) feet high and shall not be removed until construction is complete;
- c. Snow fencing used for tree protection shall be firmly secured along the dripline area, but not less than six (6) feet from the trunk when the dripline is less than six (6) feet;
- d. The grade of the land located within the dripline area shall not be raised, or lowered, more than six (6") inches, unless compensated by welling or retaining wall methods; and in no event shall welling or retaining wall methods be located less than six (6') feet from the trunk of any tree;
- e. No soil stockpiling, storage of building materials, parking or driving of construction equipment or vehicles shall be permitted within the dripline area or within six (6) feet of any remaining trees, whichever is greater;
- f. Any clearing within the dripline area, or within six (6) feet of the trunk of a remaining tree, whichever distance is greater, shall be done by hand or nonmechanical equipment; and
- g. Where a tree that has been designated for preservation is severely damaged and unable to survive, replacement trees shall be planted as provided in subsection 22-4.4.

**22-5 APPLICATION FOR TREE REMOVAL PERMIT.**

**22-5.1 Application Information.**

- a. An applicant, or any person desiring to remove any tree shall file an application for a tree removal permit with the Land Use Office and shall not commence the regulated activity without first having been issued a tree removal permit. The application form is available in the Land Use Office or on the Township website at [www.chathamtownship.org](http://www.chathamtownship.org). The applicant shall attach to the application a survey or other document satisfactory to the Zoning Officer or designee which accurately sets forth the location of the tree or trees and evidence of the ownership thereof. Each application shall include a tree replacement plan, if applicable. The Tree Replacement Plan shall accurately indicate the size, type and

location of trees to be planted. Each filed application constitutes permission to have the site inspected by the Zoning Officer or other designee. The application shall have appended to it the List of Recommended Replacement Trees set forth herein as Appendix A.

- b. The removal, protection, and replacement of trees, in accordance with a lot grading plan or site plan, must be identified on the plan submitted with said application to the Planning Board, Board of Adjustment, Township Construction Official or Township Engineer. The Tree Replacement Plan shall include both tabular and pictorial markings of the following information:
  1. Total number and size of tree(s) to be removed;
  2. Total number of trees that will remain and size;
  3. Total number of replacement tree(s) (inclusion of species required); and
  4. Number of tree(s) to be protected.
  
- c. A tree removal permit shall be submitted prior to any Uniform Construction Code (UCC) demolition permit being issued for a property. The application shall include a Conceptual Tree Management Plan for any proposed development on the property. Conceptual Tree Management Plans must be approved by two of the following municipal officials: Zoning Officer, Township Engineer, Construction Code Official. When no tree removal is proposed, a certification regarding same shall be provided to the Construction Code Official prior to issuance of the UCC permit.

#### **22-5.2 Identification of Trees; Lot Diagram Requirements.**

Unless the tree or trees can be identified and located by description to the satisfaction of the Zoning Officer or designee, the application shall be accompanied by two (2) copies of a dimensioned lot diagram identifying the precise location of all trees to be removed and all replacement trees.

#### **22-5.3 Filing of Applications.**

An application shall be considered filed when it has been properly completed as determined by the Zoning Officer or designee and delivered to the Township Land Use Office.

#### **22-5.4 Acceptance of Application.**

A tree removal permit shall not be issued by the Zoning Officer or designee for any part of a subdivision, site plan, or lot grading plan, until the appropriate land use board has given approval (preliminary or final) for such site plan, subdivision, or lot grading plan. Applications shall be made for a tree removal permit at the time of subdivision or site plan application. The survey included with this first application must include preliminary foundation location and set backs for each lot with present and proposed final grading. The lot boundaries for all the lots must be staked as well as the outline of the infrastructure. Trees to be removed must be clearly marked.

### **22-6 FEES.**

#### **22-6.1 Fees.**

A fee of \$50 shall be paid to the Township of Chatham at the time of the filing of each application for a tree removal permit.

#### **22-6.2 Purpose of Fees.**

The fee required by subsection 22-6.1 is to cover Township expenses for review of the application and inspections. No fee shall be returned to any applicant by reason of the disapproval, in whole or in part, of any application.

### **22-7 REVIEW OF APPLICATION FOR PERMIT; ISSUANCE OF PERMIT.**

#### **22-7.1 Review of Applications.**

- a. All tree removal permit applications shall be reviewed by the Zoning Officer or designee, to determine whether there is a basis for the issuance of a tree removal permit, which review may require inspection of the site that is the subject of the tree removal permit application.

- b. All tree removal permit applications in connection with lot grading plans, building permits, or site plans, shall be reviewed by the Zoning Officer or designee, to determine whether there is a basis for the issuance of a removal permit, which review may require inspection of the site that is the subject of the tree removal permit application.
- c. The following criteria shall be considered in reviewing applications for tree removal permits:
  - 1. The removal of mature, healthy trees with desirable characteristics shall be avoided. If tree removal is part of a development project, a Conceptual Tree Management Plan shall be submitted demonstrating that saving the subject tree(s) is not reasonably practical. The reduction of the building, or impervious, coverage area to a ratio below the maximum permitted coverage on the property by ordinance, shall not be deemed a reasonably practical basis for saving a tree(s);
  - 2. Dead and diseased trees may be removed. A certification from an LTE shall be provided with the application to support such tree removal;
  - 3. Trees which are likely to adversely affect other more desirable trees may be removed. A certification from an LTE shall be provided with the application to support such tree removal;
  - 4. Trees within 5 feet of a property line shall not be removed unless an evaluation and certification is provided by an LTE concluding that the tree must be removed for public safety reasons, or because it will be negatively impacted by proposed site improvements (e.g., building construction, underground utility/drainage facility installation, in-ground pool construction). The LTE shall make his or her evaluation in accordance with recognized guides and treatises, including, but not limited to, those set forth in subparagraph d of this paragraph;
  - 5. Trees within 20 feet of the front yard property line shall not be removed if the subject tree or trees is/are consistent with the existing landscape features along the roadway. Removal of trees within 20 feet of the front yard property line shall require the approval of two of the following municipal officials: Zoning Officer, Township Engineer, Construction Code Official;
  - 6. Trees under, and adjacent to, overhead utilities may be removed if maintaining said trees requires removal of more than 20% of their natural volume and shape;
  - 7. Whether the tree removal is proposed for an area which is to be occupied by an approved structure, building or other improvement, or whether it will be within ten (10) feet of such an approved structure, building or improvement; and
  - 8. Density
    - i. The density of trees in the area and the overall effect of the tree removal on the physical nature of the subject property and surrounding properties. Each lot shall contain a minimum density of one tree for every 2,500 square feet of lot area. In determining the minimum required density in Residential Zones, no more than four (4) trees in any side, front or rear yard setback area shall be included in the calculation.
    - ii. In calculating tree density, only trees with a diameter greater than 12 inches shall be considered one (1) tree.
- d. The condition of all trees that are proposed to be saved, which are located within the proposed area of disturbance associated with a site plan or lot grading plan, shall be evaluated prior to, and following, site development, by the Applicant's LTE, by the use of recognized guides and treatises, including, but not limited to, the following:
  - 1. Evaluation of Hazard Trees in Urban Areas, ISA Books, Nelda Matheny and James R. Clark;
  - 2. Urban Tree Risk Management, United States Department of Agriculture (USDA) Forest Service, Northeastern Area; and/or
  - 3. American National Standards Institute (ANSI) Tree Risk Assessment.

### **22-7.3 Denial of Application.**

In the event that the Zoning Officer or designee shall deny an application, the reasons for said denial shall be set forth in writing.

#### **22-7.4 Issuance of Tree Removal Permit.**

Whenever the Zoning Officer or designee shall approve an application for a tree removal permit, the Township shall issue a tree removal permit in accordance with the terms of the approval, together with a copy of the application bearing the signature of an official from the Land Use Office. The permit, once issued, must be posted at the site of the tree removal, in a visible area, during the time of the removal and for four (4) weeks after the tree is removed.

#### **22-7.5 Withholding of Building or Grading Permit.**

Whenever a construction or grading permit is requested and the removal of a tree(s) is required in connection with the development of the lot, the Township Construction Official shall not issue the construction permit until a tree removal permit has been issued and tree management measures are in place.

#### **22-7.6 Time for Approval of Application.**

The Zoning Officer or designee shall act upon every filed and deemed complete application for a tree removal permit within 30 days of the application being filed and deemed complete.

### **22-8 APPEAL AND HEARING.**

#### **22-8.1 Tree Management Appeals Committee**

The Tree Management Appeals Committee shall consist of the Chairperson of the Zoning Board of Adjustment, the Chairperson of the Planning Board, and a resident of the Township who is not a public official. The resident member of the Tree Management Appeals Committee shall be appointed by the Mayor and shall serve at his or her pleasure.

#### **22-8.2 Time for Appeal; Procedure; Time for Hearing.**

Any person aggrieved by any action of the Zoning Officer or designee pursuant to any of the provisions of this section shall have the right to appeal to the Tree Management Appeals Committee within fifteen (15) business days after the action complained of. The appeal shall be made by filing with the Township Clerk a written statement setting forth the action complained of and the grounds for the appeal. A fee of \$50 shall be required to file the appeal. The Tree Management Appeals Committee shall set a time and a place for the hearing of the appeal, which hearing shall be convened within twenty (20) business days after the filing of the appeal, and notice of the hearing shall be given to the appellant by the Township Clerk. At the hearing, the appellant and his or her attorney may present evidence, including the testimony of witnesses. The Township Clerk shall keep minutes of the hearing and copies of the documents or exhibits referred to, if any.

#### **22-8.3 Decision on Appeal.**

Within fifteen (15) business days after the completion of the hearing, the action taken by the Zoning Officer or designee shall be affirmed, modified or reversed by the Tree Management Appeals Committee by a recorded vote of the majority of the total members thereof. The findings and reasons for the disposition of the appeal shall be stated on the records of the Tree Management Appeals Committee and the Township Clerk shall give a copy to the appellant.

### **22-9 STOPPAGE OF UNLAWFUL WORK.**

#### **22-9.1 Issuance of Stop Work Order; Service of Notice.**

The Zoning Officer or designee, in consultation with the Township Engineer, may issue a stop work order for any tree work or other regulated development activity which is carried out in violation of a tree removal permit or any provision of this chapter. The stop work order shall be issued in writing and a copy served on the applicant and any person engaged in the tree work or other regulated development activity at the subject lot. If no permit has been issued for the tree work, then the stop work order shall be served upon the owner of the lot. After said service of the stop work order, any further tree work or other regulated activity shall comply with the terms and conditions of any permit and the provisions of this chapter, except for tree work or activity

specifically authorized by the Zoning Officer or designee. The stop work order for any violation shall remain in effect until the violation has been eliminated to the satisfaction of the Zoning Officer or designee.

**22-10 SERVICE OF NOTICE.**

**22-10.1 Notice to Persons; Notices to Township.**

Whenever, under the provisions of this chapter, any notice or order is required to be given to, or served upon, any person, such notice or order may be given or served by certified mail addressed to the person to be notified at the address set forth in the application filed by such person. Any notice to the Township shall be served by personal service upon the Township Clerk or by certified mail addressed to the Township Clerk, at the Township Municipal Building.

**22-11 PENALTIES.**

Any person who shall violate any provision of this chapter, or who shall fail to comply with an order issued pursuant to this chapter, or who shall violate any terms and conditions of any tree removal permit issued pursuant to this chapter, shall, upon conviction, be subject to imprisonment in the county jail or in any place provided by the Township for the detention of prisoners, for any term not exceeding 90 days; or by a fine not exceeding \$2,000 or the maximum then permitted under N.J.S.A. 40:49-5 or then applicable state law; or by a period of community service not exceeding 90 days. In the event of violations involving more than one (1) tree, a violation as to each such tree shall be considered a separate offense.

**22-12 CONTRACTOR REGISTRATION.**

Any contractor who removes a tree pursuant to a tree removal permit shall be registered with the Township. Registration shall be done annually, by the Construction Office on a calendar year basis. The registration fee shall be \$25 per calendar year. The registration requires that all contractors certify that they have read and understand the Township Tree Management Ordinance. The registered contractors are subject to the aforementioned penalties and fines, as are the subject property owners.

**Appendix A - List of Recommended Replacement Trees**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Notes</b>
Acer negundo	Box Elder	Found near streams, shade and drought tolerant
Acerrubrum	Red Maple	Fall color, tolerates wide variety of conditions
Acer saccharum	Sugar Maple	Fall color; Maple Syrup
Carpinus caroliniana	Hornbeam	Shade tolerant
Carya ovata	Shagbark Hickory	Hickory nuts for wildlife
Celtis occidentalis	Hackberry	Attracts butterflies; blue berries
Fagus grandifolia	American Beech	Grows to be a massive tree
Fraxinus americana	White Ash	Ash trees tolerate wet. Baseball bats are made from this wood
Fraxinus pennsylvanica	Green Ash	
Juglans nigra	Black Walnut	Provides food for wildlife
Liquidambar styraciflua	Sweet Gum	Considered best foliage tree. Be sure to select a variety without seed balls
Liriodendron tulipifera	Tulip Tree	A very large fast growing tree, tolerates wet conditions



<i>Ostrya virginia</i>	Ironwood	
<i>Platanus occidentalis</i>	Sycamore	Interesting bark; can grow very large
<i>Populus grandidentata</i>	Large-toothed aspen	
<i>Populus tremuloides</i>	Quaking aspen	
<i>Quercus alba</i>	White Oak	Acorns; Holds dry leaves in winter
<i>Quercus bicolor</i>	White Swamp Oak	
<i>Quercus rebra</i>	Red Oak	
<i>Tilia americana</i>	American Linden	Popular tree in Chatham Township
<i>Ulmus americana</i>	American Elm	Large stately tree nearly extinct in wild from Dutch Elm disease. Disease resistant varieties are now available

### Evergreens

<i>Chamaecyparis thyoides</i>	White Cedar	One of the longest lived natives
<i>Ilex opaca</i>	American Holly	Berries
<i>Juniperus virginiana</i>	Eastern Red Cedar	Blue berries
<i>Pinus strobus</i>	White Pine	Mature specimens large, grows relatively fast

### Small Trees

Scientific Name	Common Name	Notes
<i>Amelanchier arborea</i>	Shadbush, Serviceberry	High wildlife value, berries, fall color
<i>Betula nigra</i>	River Birch	
<i>Ceanothus americanus</i>	New Jersey Tea	Fixes nitrogen, attracts butterflies; more of a large shrub
<i>Cercis canadensis</i>	Eastern Redbud	Beautiful small pink flowers
<i>Cornus Florida</i>	Dogwood	Flowers in Spring, red berries
<i>Hamamelis virginiana</i>	Witch-hazel	Flowers very early, tolerates wet and shade
<i>Magnolia virginiana</i>	Sweetbay magnolia	Small fragrant flowers in summer

### PROHIBITED TREES.

These are not native trees and are invasive. They can quickly re-seed themselves and crowd out native species. Some species, such as the Norway Maple and Sawtooth Oak, will grow quickly and blot out the sun and water for other species. Sometimes this quick growth can also produce a very unstable tree.

Scientific Name	Common Name	Notes
<i>Acer ginnala</i>	Type of Japanese	Produces many seeds, found along highways
<i>Acer Plantanoides</i>	Norway Maple	Very invasive rapid growth
<i>Ailantus altissima</i>	Tree of Heaven	Now found in Great Swamp

Prunus avium	Bird Cherry	European native, birds can scatter seeds, very tough. Also spreads by roots
Quercus acutissima	Sawtooth Oak	Not native, rapid growth, many acorns
Robinia pseudoacacia	Black Locust	Rapidly spreads

Section 3. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 4. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

Introduced: April 12, 2018

TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY

Adopted:

Attest:

BY: \_\_\_\_\_  
Curt Ritter, Mayor

\_\_\_\_\_  
Gregory J. LaConte, Clerk