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Jacqueline Flynn
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BOROUGH OF MAYWOOD
15 Park Avenue, Maywood, NJ 07607

ORDINANCE #15-21

AN ORDINANCE TO ESTABLISH THE RESPONSIBILITY
OF COSTS FOR THE REMOVAL OF PRIVATE TREES

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MAYWOOD, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

WHEREAS, the Mayor and Council of the Borough of Maywood deem it necessary to establish the responsibility of a property owner to cover the cost for the emergent removal of a private tree; and

WHEREAS, the Mayor and Council of the Borough of Maywood are desirous to revise and update the Borough Code to reflect same.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Maywood, Bergen County, New Jersey, as follows;

Section 1. The following shall be added to the Borough Code

TITLE: REMOVAL OF DANGEROUS PRIVATE TREES; COSTS CHARGED.

- A.** If a private tree, or any part of a private tree becomes dangerous or hazardous to public safety; and/or falls in a manner that obstructs any public sidewalk, parking lot, park or roadway; and/or threatens to fall upon any building, structure, roadway, sidewalk, park, and parking lot; the owner of the property upon which the private tree stands/stood shall remove the private tree, or parts of the private tree, at the owner's expense, upon receipt of notification from the Borough.
- B.** If the owner fails to remove the private tree or the offending portion thereof as directed by the Borough OR if a fallen private tree needs to be cleared from a public roadway, sidewalk, or other property that the Borough deems necessary to be cleared, OR if an emergent

condition exists that necessitates the immediate removal of a private tree, the work shall be performed by the Borough Department of Public Works or its contractor. The Borough Administrator shall certify the cost for same to the Municipal Council.

- C. Upon receipt of the certified costs, the Municipal Council shall examine them and shall cause the costs to be charged against owner of the private tree or the lands. If the Municipal Council finds the costs to be excessive it shall cause reasonable costs to be charged and, in doing so, may consider the amounts received from a property owner from their/its insurance provider for such tree removal. The amount so charged shall become a lien upon the lands and shall be added to and become part of the taxes next to be assessed and levied upon the lands. Same shall bear interest as other taxes and be collected and enforced by the Tax Collector in the same manner as taxes.

Date: September 28, 2021

APPROVED: Richard Bolan
Richard Bolan, Mayor

ATTEST: Barbara Dispoto
Barbara L. Dispoto, RMC/CMC
Borough Clerk

Introduction-1st Reading

Date: August 24, 2021

	Moved	Seconded	Ayes	Nays	Abstain	Absent	Recuse
Mayor Bolan							
Councilwoman DeMuro	X		X				
Councilwoman Flynn			X				
Councilman Herrick			X				
Councilman Roer			X				
Councilman Ullman		X	X				
Council President Bennin			X				

Adoption-2nd/Final Reading**Date: September 28, 2021**

	Moved	Seconded	Ayes	Nays	Abstain	Absent	Recuse
Mayor Bolan							
Councilwoman DeMuro		X	X				
Councilwoman Flynn			X				
Councilman Herrick	X		X				
Councilman Roer			X				
Councilman Ullman			X				
Council President Bennin			X				