

TOWNSHIP OF MEDFORD

ORDINANCE 2024-4BB

**AN ORDINANCE AMENDING ORDINANCES 2024-4A AND 4B,
CHAPTER 123 OF THE CODE OF MEDFORD TOWNSHIP
ENTITLED “TREE REMOVAL AND REPLACEMENT”**

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP), as a condition of the renewal of Medford Township's NJDEP R9-MS4-Tier A Municipal Stormwater Permit, required the municipality to adopt an updated tree removal and replacement ordinance based on a model ordinance prepared by NJDEP, and

WHEREAS, the Township Council adopted Ordinance 2024-4A on July 16, 2024 and Ordinance 2024-B on September 17, 2024; and

WHEREAS, Ordinance 2024-4A defined “Emergency” but did not provide for the immediate removal of an Emergency Tree and additional amendments to Ordinance 2024-B are required to clarify enforcement of the Tree Ordinance.

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of Medford, in the County of Burlington and State of New Jersey, that Ordinance 2024-4A, Chapter 123 of the Code of the Township of Medford entitled “Tree Removal and Replacement” is amended as follows:

SECTION ONE: In §123-2, the definition “EMERGENCY” is amended to read “EMERGENCY TREE” with the same definition as follows:

“EMERGENCY TREE — Any tree that creates an immediate hazard or danger to persons and property, as a result of a weather event, such as a hurricane, wind storm, flood, freeze or other disaster, or other cause.”

SECTION TWO: §123-4. “ Trees allowed to be removed without tree replacement” is hereby amended to add a new §L, as follows:

“L. If approved by Township emergency personnel, as designated by the Township Manager, an Emergency Tree may be removed immediately, without a fee, permit or tree replacement.”

SECTION THREE: Sections 123-12. D and 123-12. E of Ordinance 2024-4A are amended to change the reference to the “Director of Neighborhood Services” to “The Director of Public Works or the Assistant Director of Public Works.”

SECTION FOUR: The first sentence of Section 123-5.B and the first sentence of Section 123-13 of Ordinance 2024-4A are hereby amended to repeal and replace each sentence to provide that

“This ordinance shall be enforced by the Township Zoning Official with the assistance and input from the Medford Environmental Affairs Advisory Committee.”

SECTION FIVE. REPEALER, SEVERABILITY AND EFFECTIVE DATE

- A. Any and all Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.
- B. 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 and the remainder of this ordinance shall be deemed valid and effective.
- C. This Ordinance shall take effect immediately upon final passage and publication according to law.