

Ordinance No. 2009-13

**ORDINANCE AMENDING THE ALLAMUCHY TOWNSHIP LAND DEVELOPMENT
ORDINANCE CONCERNING SITE CLEARING AND TREE REMOVAL**

WHEREAS, in order to maintain the aesthetic character of Allamuchy Township, prevent soil erosion, control patterns that may cause hazards to persons or property and substantially change drainage, the Mayor and Council seek to prevent the indiscriminate, uncontrolled and excessive removal and cutting of trees on lots and tracts within the Township, without unduly inhibiting the ability of property owners to remove trees in appropriate circumstances; and

WHEREAS, in order to achieve these goals, the Mayor and Council have established an inspection and permit process to assure that tree removals and cuttings are performed in a safe and environmentally appropriate manner, and that removed trees are replaced as appropriate; and

WHEREAS, in furtherance of these goals, it is necessary to amend the Land Development Ordinance to assure that site clearing is performed in a responsible manner.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Allamuchy as follows:

1. Section 802B of the Allamuchy Township Land Development Ordinance is amended by adding thereto the following:

802 APPLICATION OF REQUIREMENTS

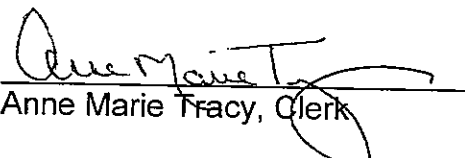
B. Site Plan Review

7. The clearing, excavation or filling of an area in excess of 5000 square feet shall require site plan approval unless related to the construction of a single family home that does not require subdivision approval, and shall further require a tree removal permit pursuant to Chapter 128 of the Allamuchy Township Code. Prior to any clearing, excavation or filling of an area in excess of 5,000 square feet related to the construction of a single family home that does not require subdivision approval, the property owner shall submit a grading plan and secure approval, including but not limited to a tree removal permit pursuant to Chapter 128 of the Allamuchy Township Code from the Township Engineer.

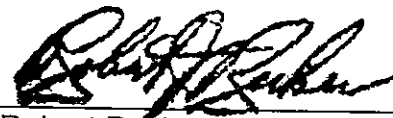
2. If any section, subsection or paragraph of this ordinance shall be declared to be unconstitutional, invalid, or inoperative, in whole or in part, by a court of competent jurisdiction, such section, subsection or paragraph shall, to the extent that it is not unconstitutional, invalid or inoperative, remain in full force and effect, and no such determination shall be deemed to invalidate the remaining provisions of this ordinance.

3. This Ordinance shall take effect as provided by law.

ATTEST:

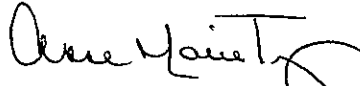

Anne Marie Tracy, Clerk

TOWNSHIP OF ALLAMUCHY


Robert Resker, Mayor

NOTICE

The aforesaid Ordinance was introduced on first reading by the Allamuchy Township Council at a regular meeting held July 21, 2009. The aforesaid Ordinance will be given final consideration at a regular meeting of the Township Council to be held on August 18, 2009 at the Municipal Building, 292 Alphano Road, Allamuchy, New Jersey, at 7:00 P.M. when the Township Council will consider final passage of said Ordinance.

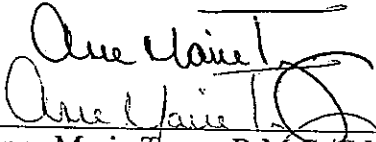

ANNE MARIE TRACY, RMC/CMC
TOWNSHIP OF ALLAMUCHY

TOWNSHIP OF ALLAMUCHY

ORDINANCE NO. 2009-13

"ORDINANCE AMENDING THE ALLAMUCHY TOWNSHIP LAND DEVELOPMENT ORDINANCE CONCERNING SITE CLEARING AND TREE REMOVAL."

Take notice, the foregoing Ordinance was introduced and passed on first reading by the Township Council of the Township of Allamuchy on July 21, 2009 at the regular meeting of said Council held at Allamuchy Town Hall, Allamuchy, New Jersey and was given further consideration and finally passed at a regular meeting of the Allamuchy Township Council held September 15, 2009 at Allamuchy Town Hall, Allamuchy, N.J.


Anne Marie Tracy, R.M.C./C.M.C.
Township of Allamuchy