

DRAFT

**TREE PROTECTION
AND REMOVAL
MODEL ORDINANCE**

For the Whippany River Watershed Action Committee

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Cahill Associates

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1. PURPOSE

The purpose of this ordinance is to promote conservation of woodlands, hedgerows, specimen vegetation as well as non-specimen vegetation throughout _____ through establishment of management requirements restricting land development activities and specifying replacement requirements.

It has been determined that indiscriminate, uncontrolled and excessive destruction, removal and clear cutting of trees upon lots and tracts of land results in:

- increased drainage control costs
- increased soil erosion and sedimentation, especially on sloping areas
- decreased fertility of the soil
- degradation of water resources
- decreased groundwater recharge
- increased buildup of atmospheric carbon
- increased dust
- loss of natural cooling in the summer and wind protection in the winter
- adverse impacts on community aesthetics
- decreased habitat
- loss of natural noise buffering
- decreased property values
- all of which negatively affect the character of _____.

Because the removal of trees adversely affects the health, safety and general welfare of its residents, _____ desires to minimize the indiscriminate and excessive cutting of trees by preserving the maximum possible number of trees in the course of development of a site, ensuring that the health of trees preserved on a site is maintained throughout the development process, protecting larger, older specimens of trees as a first priority and encouraging innovative design and grading to promote the preservation of all existing trees. It is the purpose of this ordinance to modify the location of development in relations to woodlands, hedgerows, specimen trees, and other important vegetation but not to modify the overall density of development.

2. APPLICABILITY

With the exception of the exemptions set forth in this ordinance, no tree shall be cut or otherwise removed from any lands in _____ without a tree removal permit. All applications to the Planning Board or Zoning Board of Adjustment for approval of a major subdivision, minor subdivision or site plan requiring tree removal shall include an application for a tree removal permit. Any residential, commercial, business or industrial lot owner wishing to remove trees upon said lot must comply with the appropriate sections of this ordinance. Applications for tree removal permits shall be submitted to _____ for review and approval. No tree planted or preserved as part of any landscape plan or in accordance with any street tree requirement approved in conjunction with a subdivision or site plan shall be removed, except for such trees directed to be removed pursuant to other sections of this ordinance.

The provisions of this ordinance apply to all land disturbances resulting from or in connection with any activity or use requiring approval of any of the following:

Building permit

Zoning variance
Special exception
Conditional use
Subdivision/land development

3. DEFINITIONS

(Include the following definitions unless the definition is already provided for in the adopted zoning ordinance)

Board - the municipal agency, either Planning Board or Zoning Board of Adjustment, to which the application for tree removal permit is submitted.

Caliper - Standard measure of tree size for trees to be newly planted. The measurement is taken 6 inches above the ground for trees 4 inches in diameter or less and 12 inches above the ground for trees over 4 inches in diameter.

Clear Cutting - the removal of all standing trees on a lot or a portion of a lot.

Diameter at Breast Height - diameter of a tree measured four and one-half (4 2) feet (forestry method) above the ground level on the downhill side for existing trees. Diameter at Breast Height may appear as the abbreviation "DBH" (Diameter Breast Height).

Drip Line - a limiting line established by a series of perpendicular drop points marking the maximum radius of the crown of an existing tree, but not less than six (6) feet from the trunk, whichever is greater; and within which no construction or disturbance shall occur.

Replacement Tree - a nursery-grown certified tree, properly balled, marked with a durable label indicating genus, species and variety, and satisfying the standards established for nursery stock and installation thereof, set forth by the American Association of Nurseryman.

Selective Cutting - the removal of larger trees on an individual basis while leaving trees of lesser size.

Silviculture - the management of any wooded tract of land to insure its continued survival and welfare, whether for commercial or noncommercial purposes, pursuant to a plan approved by the New Jersey Bureau of Forestry.

Thinning - the removal of undesirable, competitive, diseased or damaged trees so as to cultivate and improve the development of remaining trees on the lot.

Tree - any self supporting woody plant which reaches a typical mature height of twelve (12) feet or more at maturity and has a typical DBH of four (4) inches or greater.

Tree Canopy - the top layer or crown of mature trees.

Wooded Acres Permitted for Development - means the wooded lands within a lot or tract which are not specifically excluded from development by any federal, state, county or municipal law or ordinance, deed restriction or covenant running with the lands. For

purposes of this Ordinance, those lands specifically eliminated from consideration as wooded acres permitted for development include, but are not limited to, wetlands as defined by N.J.S.A. 13:9B-1 et seq.

4. TREE CUTTING OR REMOVAL RESTRICTIONS

- A. With the exception of the exemptions set forth in this ordinance, no person shall cut or remove, or cause to be cut or removed, any existing tree with a diameter at breast height (DBH) of six (6) inches or greater upon any lands within _____ unless the cutting or removal can be accomplished in accordance with the provisions of this ordinance.
- B. Applicants shall make all reasonable efforts to make subdivision and land development plans and all related development actions compatible with maximizing preservation of existing trees. Tree removal of all sizes is to be minimized. No portions of wooded areas, hedgerows, specimen trees, or any other trees with a diameter at breast height (DBH) of six (6) inches or greater shall be removed unless necessary to accomplish the proposed development.
- C. No specimen trees shall be removed from any lot or tract except where the applicant demonstrates to _____ that such removal is essential to remove a hazardous condition(s) or otherwise is essential permit the lawful use of the lot or tract. Where permitted, this removal of specimen vegetation shall be minimized. Retention of specimen trees is to be double credited toward any tree replacement required under this ordinance.
- D. Woodland replacement in accordance with provisions of this ordinance shall be required whenever permitted woodland disturbance on any lot or tract exceeds 20,000 square feet of wooded area or disturbance to more than twenty-five (25) percent of any wooded area, which is less. Extent of wooded area disturbance is to be measured to include the entire area within the drip line of any tree comprising a wooded area, where any portion of the drip line of such tree is subject to disturbance.
- E. Where disturbance of wooded areas, hedgerows, specimen trees, or other trees with a diameter at breast height (DBH) of six (6) inches or greater is essential, the applicant shall be guided by the following criteria in clearing and retaining vegetation:
 - 1. Location(s) and benefits of conservation of healthy mature tree stands
 - 2. Impacts in terms of functions and values to wildlife of separating, dividing, and/or encroaching on wildlife corridors and/or extensive wildlife habitat areas, especially when dealing with wooded areas of 10 acres or more.
 - 3. Impacts on views and scenic values, including autumn coloration, flower types and fruit, bark and crown characteristics, extent of dieback present, and so forth.
 - 4. Susceptibility to insect attack and/or disease.

5. Species longevity.
 6. Wind firmness and capability of soil to hold trees.
 7. Existence of disease, rot, or other damage to trees (trees in poor health should be removed).
 8. Protection of buildings (dead or dying limbs hanging over buildings should be removed).
- F. In areas of permitted tree disturbance, care shall be taken to protect remaining trees from damage in adjacent areas. The following measures shall be used:
1. No change in existing grade shall be permitted within the drip line of trees. Appropriate fencing or other means of demarcation acceptable to _____ shall be placed for the duration of construction at the drip line of trees to be retained and which are adjacent to construction. Roots of trees being retained shall not be cut.
 2. Trees within 25 feet of a building or bordering entrances/exits to building sites shall be protected by temporary barriers to be maintained in place throughout the duration of construction activities.
 3. No boards or other materials shall be nailed or otherwise attached to trees during construction.
 4. Construction materials, equipment, soil and/or debris shall not be stored nor disposed of within the drip lines of trees being retained, except for mulched vegetative matter used to prevent soil compaction.
 5. Tree trunks, limbs, and exposed roots damaged during construction shall be protected from further damage by being treated immediately in accordance with accepted professional landscape procedures.

5. EXEMPTIONS

The following shall be exempt from this ordinance:

- A. Commercial nurseries and fruit orchards.
- B. Christmas tree farms.
- C. Residential lots that are less than two (2) times the minimum required lot size where removal is no more than three (3) trees with a six (6) inch DBH or less in any two (2) year period.
- D. Residential lots that are greater than two (2) times the required lot size and are removing no more than six (6) trees with a six (6) inch DBH or less in any two (2) year period.

- E. Any tree which is part of a cemetery.
- F. Trees directed to be removed by municipal, county, state or federal authority pursuant to law.
- G. Removal of trees which are dead, dying or diseased, or trees which have suffered damage, or any tree whose angle of growth makes them a hazard to structures, roads, or human life.
- H. Removal of trees which appear to cause structural damage to buildings or foundations.
- I. Any tree growing on or over a public right-of-way or public land.
- J. Pruning or removal of trees within the right-of-way by utility companies for maintenance of utility wires or pipelines and the pruning of trees within sight easements.
- K. Trees removed in conjunction with farmland greater than five (5) acres in size that will be actively devoted primarily to agricultural uses and that yield a minimum annual income of five hundred dollars (\$500) from said farming activities except that where the owner desires to remove any trees for the purpose of expanding farmlands, an inventory of trees to be removed, identified by size and species, shall be prepared and filed with _____ prior to any tree removal. In the event the expanded farmlands are not actively devoted primarily to farming activities for a period of seven (7) years following tree removal, the tree replacement provisions contained in this ordinance shall apply.
- L. Those projects which have received major subdivision or site plan approval prior to the effective date of this Ordinance and amended major subdivision and site plans.

6. TREE REMOVAL PERMIT AND PLANNING REQUIREMENTS FOR MAJOR AND MINOR SUBDIVISIONS AND SITE PLANS

Each application to the Planning Board or Zoning Board of Adjustment for approval of a major or minor subdivision or a site plan that requires the removal of trees as defined in this ordinance shall include an application for a Tree Removal Permit. The application for tree removal permit and development proposal shall conform to the following provisions:

- A. Tree Removal Permit: The application form for a Tree Removal Permit may be obtained from _____ and shall include the following information:
 - 1. Name and address (street, lot and block) of the owner of the lot or tract and legal status (individual, partnership, corporation of this or any other state, etc.)
 - 2. Description of the lot or tract where removal is to take place, including lot and block numbers, street address as assigned
 - 3. A list of all trees to be removed with a DBH equal to or greater than six (6)

inches identified by size and species, including total number of each species to be removed;

4. Purpose for tree removal (new construction, street or roadway, driveway, utility easement, recreation areas, parking lot, etc);
5. Proof that there are no delinquent property taxes or assessments due on the property for which the application is submitted; and
6. Such other information as may be deemed necessary in order to effectively process and evaluate such a permit application.

B. Tree Protection Plan

The following information shall be provided on a landscape plan prepared by a Registered Landscape Architect or Registered Professional Engineer and submitted with the application for a Tree Removal Permit. The tree protection plan must be submitted prior to Tree Removal Permit approval. If less than 10 percent of the existing tree mass is being disturbed, a Tree Protection Plan is not necessary.

1. Tree Protection Plan Base Information
 - a. Location of existing tree canopy within the property boundaries.
 - b. Location of individual trees with a DBH equal to or greater than six (6) inches identified by size and species within the area of development/limit of disturbance.
 - c. Location of individual trees with a DBH equal to or greater than six (6) inches identified by size and species beyond the area of development/limit of disturbance.
 - d. Location of individual existing trees and their drip lines noted for preservation within the area of development/limit of disturbance identified by size and species. Where clusters of trees exist on the site or are contiguous with adjacent sites, fragmentation of the cluster shall be avoided where possible.
 - e. Location of all required replacement trees.
 - f. Clear labeling of the area(s) intended for tree/vegetation removal, both on the Plan and at the lot or tract (see provisions below).
 - g. Tree protection material details and limit of disturbance line.
 - h. Location of existing and proposed buildings/structures.
 - i. All bodies of water and wetlands, including water retention and detention areas.
 - j. Location of all existing driveways and parking areas.
2. Tree Protection Plan Design Requirements
 - a. As stipulated elsewhere in this ordinance, only those trees necessary to permit the construction of buildings, structures, streets, driveways, infrastructure and other authorized improvements shall be removed. Existing vegetation shall be preserved to the greatest extent feasible.
 - b. No more than forty (40) percent of the existing trees/tree masses

within the lot or tract boundaries shall be removed, unless special approval is granted by _____. The location of the remaining forty (60) percent of the trees to be preserved shall be noted on the landscape plan. In all cases, tree replacement provisions of this ordinance apply. Steep slope limits of disturbance shall supersede this section when appropriate.

- c. No more than twenty (40) percent of existing trees with a DBH equal to or greater than ten (10) inches within the area of the lot or tract to be developed (i.e., the limit of disturbance) shall be removed, unless special approval is granted by _____. In all cases, tree replacement provisions of this ordinance apply.
- d. For replacement trees, species and their locations shall be acceptable to _____. Where necessary, _____ may approve location of replacement trees beyond the lot or tract, such as on public lands, where such placement furthers the objectives of this ordinance.
- d. Input from various subcommittees and groups of _____ shall be requested for recommended tree preservation areas.
- e. Trees and/or shrub masses that are relocated on the lot or tract may be given replacement tree value.
- f. _____ shall have the option of requiring imposition of a conservation easement to protect any or all trees or tree canopy areas to remain on site as part of the Tree Protection Plan.
- g. Applicant shall specify long-term management provisions for all those areas not being disturbed and subject to tree replacement. A statement of wooded area management objectives shall be included, demonstrating the feasibility and success of the proposed management practices, addressing viability of introduced plantings, deterrence of invasive species, and means to minimize future wooded area impact. These management provisions, to be specified either in narrative or graphic form, shall address:
 - i. Retained wooded area ownership, management, and maintenance
 - ii. Conservation and land management techniques and practices to be used to protect such areas, as applicable
 - iii. Professional personnel requirements to maintain and manage the property

7. PROTECTION OF TREES DURING CONSTRUCTION

- A. Tree protection measures and the limit of disturbance line shown on the Tree Protection Plan shall be provided at the lot or tract with snow fencing or other durable material and verified by a municipal officer from _____ prior to soil disturbance.
- B. Protective barriers shall not be supported by the plants they are protecting, but shall be self-supporting. Barriers shall be a minimum of four (4) feet high and shall last until construction is complete.

- C. Chain link fence may be required for tree protection if warranted by site conditions and relative rarity of the plant.
- D. Snow fencing used for tree protection shall be firmly secured along the drip line, but shall be no less than six (6) feet from the trunk.
- E. The grade of the land located within the drip line 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 less than six (6) feet from the trunk of a tree.
- F. No soil stockpiling, storage of building materials, construction equipment or vehicles shall be permitted within the drip line or within six (6) feet of any remaining trees, whichever is greater.
- G. Any clearing within the drip line, or within six (6) feet of the trunk of a remaining tree, whichever is greater, shall be done by hand-operated equipment.
- H. Where a tree designated for preservation is severely damaged and unable to survive, tree replacement shall occur as provided below.

8. TREE REPLACEMENT AND REFORESTATION

- A. The replacement of trees shall occur on the lot or tract and shall occur as prescribed in the table below.
- B. Replacement tree(s) shall be of nursery grade quality, balled and burlapped. Where replacement trees are required but not suitable for the particular site prescribed due to the size of the site or other special limitations, the trees shall be utilized for planting on public lands as close to the lot or tract as possible.
- C. The type of replacement tree(s) shall be the same as the species removed from the site or other as approved by _____.

Tree Replacement Schedule	
Caliper of Existing Tree Removed	Number of Replacement Trees (3" caliper)
Less than 6 inches	1
Between 6 & 12 inches	3
Between 12 & 18 inches	4
Between 18 & 24 inches	5
Between 24 & 30 inches	7

Tree Replacement Schedule	
Between 30 & 36 inches	10
36 inches or greater	The equivalent of 3" caliper trees or greater needed to equal the DBH of the removed tree

- D. All specimen trees retained shall be credited toward the tree replacement requirement at a ratio of three trees credited for each one specimen tree retained.
- E. All replacement trees shall have been grown within the same USDA hardiness zone as the lot or tract and shall be nursery grown, excepting those deemed by _____ to be acceptable for transplanting from other disturbed portions of the lot or tract (see above).
- F. Species of replacement plantings shall reflect careful site evaluation, including.
 - 1. Existing and proposed site conditions and their suitability for the tree species, based on geology, hydrology, soil, and microclimate.
 - 2. Specific functional and design objectives, including replacement of the wooded area being removed, enhancement of existing wooded areas, reforestation of Stream Buffer Conservation Zones, landscape buffering, visual screening, noise abatement, energy conservation, wildlife habitats, and maximizing aesthetic values.
 - 3. Maintenance considerations such as hardiness, resistance to insects and disease, longevity, and availability.
 - 4. Because of the many benefits of native species (ease of maintenance, longevity, wildlife habitat, etc.), the use of nursery-grown free-fruiting native trees is strongly encouraged. Selection should reflect species diversity characteristic of the native deciduous landscape of Morris County.
- G. The planting of all replacement trees shall be done by or supervised by a person with horticultural training in tree care and planting methods.
- H. Newly planted replacement trees shall be monitored for a period of one year to ensure the health of the trees. If the replacement trees die within the one year period, the developer/applicant shall replace the dead tree.

(OPTIONAL)

9. TREE REMOVAL AND PROTECTION ON EXISTING RESIDENTIAL, COMMERCIAL, INDUSTRIAL AND BUSINESS ZONED LOTS (EXCLUDING MAJOR AND MINOR

SUBDIVISIONS AND SITE PLANS)

- A. On any residential lot that is less than two times the required lot size with a tree removal rate of five (5) or more trees with a ten (10) inch DBH or greater in a two (2) year period; or, any residential lot that is twice the required lot size or greater with a tree removal rate of more than six (6) trees with a ten (10) inch DBH or greater in a two (2) year period shall submit an application for a Tree Removal Permit: Existing Lots to _____. The Tree Removal Permit: Existing Lots application shall conform to the provisions contained below.
- B. The provisions of this section shall also apply to all commercial, industrial and business zoned lots.
- C. The Tree Removal Permit: Existing Lots Application form shall be available from _____ and shall include the following information:
1. Name and address (street and lot and block) of the owner of the lot or tract and status of legal ownership (individual, partnership, corporation of this or any other state, etc.);
 2. Description of the lot or tract where removal is to take place, including lot and block numbers, and street address as assigned;
 3. A list of all trees to be removed with a DBH equal to or greater than ten (10) inches identified by size and species, including total number of each species to be removed.
 4. Purpose for tree removal (construction, building addition, street or roadway, driveway, utility easement, recreation area, patio, parking lot, etc.);
 5. Such other information as may be deemed necessary in order to effectively process and decide such application.
- D. Additional Data Required for Tree Removal Permit: Existing Lots Application
1. A sketch of base information shall be provided showing the lot or tract and location of the tree(s) to be removed with a DBH of ten (10) inches or greater.
 2. Trees to be removed shall be those trees necessary to permit the construction of buildings or building additions, structures, driveways, septic fields, decks and lawn areas. The trees removed shall not constitute more than one half acre or shall be no more than 50 percent of the lot size, whichever is less. Existing vegetation shall be preserved to the greatest extent feasible.
 3. Site protection measures shall be provided in accordance with those specified above.
- F. Criteria for Tree Removal Permit: Existing Lots

In addition to the design requirements stated above, _____ may grant a Tree Removal Permit: Existing Lot based upon one or more of the following circumstances:

1. Where the location of an existing tree provides no other alternative but to place a structure outside the permitted building setbacks.
2. Where the location of an existing tree negatively impacts on an existing septic field.
3. Where no other alternative exists for the placement of a building, building addition, structure, septic field, driveway, deck, patio or lawn area for the recreational use by the inhabitants of the building or dwelling, or any other authorized improvements, other than in the vicinity of an existing tree.
4. Where the location or growth of a tree significantly reduces the enjoyment of any outdoor pool, patio or deck.
5. Where the location, angle or growth of an existing tree makes it a hazard to structures or human life.

If, in the opinion of the _____ municipal officer, the Tree Removal Permit: Existing Lots application does not satisfy the above criteria, then the application may be forwarded to the Planning Board for action.

G. Tree replacement shall be accordance with the provisions of this ordinance above.

H. In accordance with the design requirements provided in this ordinance, unless otherwise indicated herein, a Tree Removal Permit: Existing Lots may only be granted for the following reasons and under the following terms and conditions:

1. Where the area proposed for tree removal is to be occupied by: a building or other structure; a street or roadway; a driveway; a parking area; a patio; a swimming pool; a recreation area; a power, drainage, sewerage or any other utility line, easement, or right-of-way, or where the area of tree removal is 20 feet or less from either side of or around the perimeter of any of the foregoing, whichever is applicable.
2. In areas proposed for tree removal which are not to be occupied by any of the uses or facilities set forth above in 1.
3. Where the continued presence of such tree or trees is likely to cause danger to persons or property upon the lot or tract for which removal is sought, or upon adjoining or nearby property.
4. Where the area where such tree or trees are located has a cut, depression or fill of land, or the topography of the land is of such a character as to be injurious or dangerous to such tree or trees, or to tree or trees located nearby.

5. Where the removal of trees is for the purpose of conducting forestry activities, which activities include, but are not limited to, the harvesting of trees in accordance with a forest management plan and the thinning out of a heavily wooded area, with some trees to be removed, and other trees to remain.
6. Where there has been a finding by _____ that the proposed tree removal will not result in or cause, increase or aggravate any or all of the following conditions: impaired growth or development of remaining trees or shrubs on the property of the applicant or upon adjacent property, soil erosion, sedimentation and dust, drainage or sewerage problems, dangerous or hazardous conditions, and depression in the land value of the subject property and properties in the neighboring area.
 - I. _____ shall have the power to affix reasonable conditions to the granting of the Tree Removal Permit: Existing Lots for the removal of trees.
 - J. Protection of Existing Trees

Whenever an application for Tree Removal Permit: Existing Lots is granted under the terms and conditions of this ordinance, the following protective measures shall be observed:

1. No material or temporary soil deposits shall be placed within the drip line of any existing tree to be preserved.
2. Except while engaged in tree removal, no equipment shall be operated within six feet of any tree protected by this ordinance nor shall such equipment be operated at any time in such a manner as to break, tear, bruise, or otherwise injure any living or dormant tree.

10. TREE REMOVAL PERMIT TIME LIMITS

- A. Where the Tree Removal Permit application is submitted as a part of an application for major subdivision, minor subdivision or site plan approval, the time for approval shall be governed by the timing requirements applicable to major subdivision, minor subdivision or site plans.
- B. Where the application is made in connection with a residential, commercial, business or industrial lot that is not part of a major or minor subdivision or site plan, _____ shall act on the application within thirty (30) days of its receipt or within such additional time as is consented to by the applicant. Failure to act within thirty (30) days, or any extension thereof, shall be deemed to be an approval of the application and thereafter, a Tree Removal Permit: Existing Lots shall be issued.
- C. Approval by default with regard to major subdivision, minor subdivision and site plan applications, shall not be deemed to be a waiver of a Tree Removal Permit.

11. DURATION OF TREE REMOVAL PERMITS

Permits granted for the removal of trees under the terms and conditions of this ordinance shall run with the land and shall remain in force and effect for the following periods of time, and not thereafter. Once the Permit has expired, a new application must be submitted for review and a new Permit issued. Time limits are as follows:

- A. If granted for a lot or tract of land for which no building permit is required, one year from the date of issuance.
- B. If granted for a lot or parcel of land for which a building permit is required, but for which no site plan approval is required by the Planning Board, until expiration of the building permit granted with such Tree Removal Permit.
- C. If granted for a lot or tract of land for which site plan approval from the Planning Board/Zoning Board is required as a condition precedent to obtaining a building permit, until expiration of the site plan approval, or expiration of the building permit issued after such site plan approval.
- D. If granted for a lot or tract of land for which minor subdivision is sought, one year from the date of granting such minor subdivision.
- E. If granted for a lot or tract of land for which preliminary approval of a major subdivision is sought, until expiration of such approval.

12. INSPECTIONS RELATED TO TREE REMOVAL PERMITS

- A. Prior to taking final action upon any application for a Tree Removal Permit, an inspection of the site shall be made by _____.
- B. Prior to any tree removal, all trees must be marked and areas to be cleared identified, all of which in turn must be inspection by a municipal representative.
- C. _____ shall periodically inspect the lot or tract throughout the duration of construction in order to ensure compliance with this ordinance. Such inspection shall be made of the lot or tract referred to in the Permit application, and of contiguous and adjoining lands, as well as of lands in the vicinity of the application, for the purpose of determining drainage conditions and physical conditions existing thereon.

13. NOTICE OF COMMENCEMENT OF TREE REMOVAL

- A. The holder of a Tree Removal Permit shall notify _____ in writing at least four (4) business days in advance of when the tree removal activity will commence.
- B. The notice shall also include information as to the manner of disposal of the removed trees.
- C. In the case of the removal of dead or diseased trees, the dead or diseased trees

shall not be turned into mulch and applied to the site, but shall be disposed of in a manner so as to not disease other trees on site.

14. FEES

A review fee of ___ dollars shall accompany the application for all Tree Removal Permits.

15. PENALTIES

When regulated trees are removed without a Tree Removal Permit, the affected areas shall be replanted, increasing replacement requirements by fifty (50) percent and planted to the satisfaction of the appropriate municipal authority.