

APPROVED

2026
Mayor

TOWNSHIP OF FLORENCE

ORDINANCE 2026-16

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING
CHAPTER 132 OF THE TOWNSHIP CODE ENTITLED TREES**

WHEREAS, the New Jersey Department of Environmental Protection amended regulations related to stormwater management for all communities in the State of New Jersey; and

WHEREAS, said regulations require that municipalities implement ordinances related to the removal and replacement of trees on all lands in the municipality; and

WHEREAS, the Florence Township Shade Tree Commission, working in conjunction with the Stormwater Management Coordinator and representatives from the Township Engineers Office, have developed this ordinance amending Chapter 132 of the Code of the Township of Florence in order to comply with NJDEP regulations; and

WHEREAS, after adoption of Ordinance 2026-07 which amended Chapter 132 on April 1, 2026, the New Jersey Department of Environmental Protection objected to certain language and provisions in the ordinance which now requires additional amendments.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Florence, in the County of Burlington, New Jersey as follows:

SECTION 1: Chapter 132 at Section 132-3 entitled Planting, pruning and removal by township., is hereby amended to read as follows:

132-3 Planting, pruning and removal by township.

Florence Township shall have the exclusive right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, land, squares and public grounds as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds. The Shade Tree Commission may remove or order to be removed any tree or part thereof which is in an unsafe condition or which, by reason of its nature, is injurious to sewers, electric power lines, gas lines, waterlines or other public improvements or is affected with any injurious fungus, insect or other pest. This section does not prohibit the planting of street trees by any property owners, provided that the selection and location of said trees is in accordance with § 132-2. In the event the Township performs tree removals, the Township obligates itself to follow the same replacement standards as required of every other person in the community.

SECTION 2: Chapter 132 at Section 132-11.2. titled Exemptions:, is hereby amended to read as follows:

2. Exemptions:

- a. Hazard trees;
- b. Residents who remove less than 12.6 square feet of Basal Area totaled within any *contiguous* rolling five-year period;
- c. Farms in active operation, nurseries, fruit orchards, and garden centers;
- d. Properties being managed under an approved forest stewardship or woodland management plan that is active and on file with the municipality;
- e. Properties under farmland or woodland preservation;
- f. Part of municipal or state decommissioning plan;
- g. Part of game management practices approved by NJ Fish and Wildlife;
- h. Invasive tree species recognized by the Shade Tree Commission, including *but not limited to*:
 - i. *Ailanthus altissima* (tree of heaven),
 - ii. *Paulownia tomentosa* (princess tree),
 - iii. *Pyrus calleryana* (Bradford pear);

SECTION 3: Chapter 132 at Section 132-11.4 entitled Replacement Alternatives., is hereby amended to read as follows:

4. Replacement Alternatives

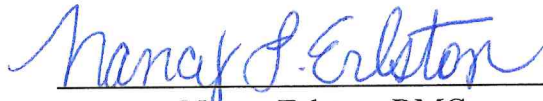
If the applicant elects to, or if the Shade Tree Commission determines that some or all of the required replacement trees cannot be planted on the property where the tree removal activity will occur, then the applicant shall do one of the following:

- a. Plant replacement trees in separate area(s) of the township as approved by the Shade Tree Commission;
- b. Pay an in-lieu-of fee per tree removed to the Tree Fund. This fee shall be placed into a fund dedicated to tree planting, and the continued management and maintenance of municipal trees. The payment in-lieu-of fee shall be proportional to the 1.0" replacement tree caliper column in the Tree Replacement Table, at a rate of \$200 for each 1.0" caliper replacement tree. For example, if a 15" DBH tree is removed, the replacement table requires three (3) replacement trees of 1.0" caliper, so the payment-in-lieu-of fee would be $3 \times \$200 = \600 .

SECTION 4: Any and all other Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

SECTION 5: Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

SECTION 6: Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.



Nancy Erlston, RMC
Township Clerk



Joseph B. Frappolli,
Council President

TOWNSHIP OF FLORENCE

ORDINANCE 2026-16

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CHAPTER 132 OF THE TOWNSHIP CODE ENTITLED TREES**

Take Notice that the Ordinance amending Chapter 132 of the Township Code entitled Trees has received final adoption by the Township Council and was approved by the Mayor of the Township of Florence, County of Burlington, State of New Jersey, following a public hearing held on July 1, 2026 at 7:00 p.m. in the Municipal Complex, 711 Broad Street, Florence, New Jersey. The Ordinance will take effect immediately upon adoption and publication as required by law.

Copies of the full Ordinance are on file with the Township Clerk of the Township of Florence in the Municipal Complex. The ordinance is posted on the township's website www.florence-nj.gov.

Nancy L. Erlston, RMC
Township Clerk