

**Borough of Norwood**

**Ordinance No. 16:07**

**An Ordinance Adding Chapter 220 to the Code of the Borough of  
Norwood to Regulate Tree Experts and Tree Care Operators**

**WHEREAS**, this ordinance's purpose is to amend the Code of the Borough of Norwood to add provisions requiring tree experts and tree care operators to register with the Borough, to advance the health, safety, and welfare of the residents and businesses in the Borough.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Norwood as follows:

**Section 1:** A new Chapter 220 titled "**Tree Experts and Tree Care Operators**" is added to the Code of the Borough of Norwood to state as follows:

**Chapter 220. Tree Experts and Tree Care Operators.**

**§220-1. Purpose and Findings.** This chapter's purpose is to regulate tree experts and tree care operators in a manner that is consistent with the Tree Expert and Tree Care Operator's Licensing Act, N.J.S.A. 46:15C-11 et seq.

**§220-2. Definitions.** The words and phrases used in this chapter will have the following meanings:

"Act" means the Tree Experts and Tree Care Operators Licensing Act, N.J.S.A. 46:15C-11 et seq.

"Licensed tree care operator" means a person licensed to provide tree care operator services in the State pursuant to the Act.

"Licensed tree expert" a person licensed to provide tree expert services in this State pursuant to the Act.

"Person" means any individual, sole proprietor, corporation, partnership, limited liability company, or any other business.

“Tree care operator services” means and includes tree pruning, repairing, brush cutting or removal, tree removal, and stump grinding or removal.

“Tree care services“ means tree care operator services and tree expert service as established by this chapter.

“Tree expert services” means and includes tree pruning, repairing, brush cutting or removal, tree removal, stump grinding or removal, tree establishment, fertilization, cabling and bracing, lightning protection, consulting, diagnosis, and treatment of tree problems or diseases, tree management during site planning and development, tree assessment and risk management, and application of pesticides or any other form of tree maintenance.

**§220-3. Registration Required.** No person may provide tree care services to another person in the Borough without filing a registration application with the Borough Clerk’s Office and obtaining a permit confirming this registration. Property owners are not required to register to provide tree care services on their own property in the Borough.

**§220-4. Application for Registration.**

- A. All applications for registration will be in writing on forms furnished by the Borough Clerk, signed by the applicant or the authorized agent of the applicant, and presented to the Borough Clerk. The application will state the applicant’s name, the business name and address, telephone number and email addresses, and other information the Borough Clerk deems necessary for registration, including proof of any current licenses issued to the applicant under the Act and proof of liability insurance covering the work to be provided, as required by the Act.
- B. If the applicant presents proof that it is licensed under the Act, and has the required liability insurance, then the Borough Clerk will issue a registration certificate permit with a copy of the Borough’s ordinances relating to trees upon the payment of the registration fee.
- C. If the applicant is not licensed by the State under the Act to perform the tree care services, then the applicant will provide any other information requested by the Borough Clerk that is necessary to confirm that the applicant is qualified to perform the tree care services and has adequate liability insurance covering the work to be performed. The Borough Clerk will, after appropriate investigation, present the application to the Mayor and Council, which may or grant or refuse the application. If the application is approved, the Mayor and Council will authorize and direct the Borough Clerk to issue the registration provided that the applicant has paid the fee as hereinafter provided.

D. All registrations expire on December 31 of each year.

**§220-5. Registration Fee.** The registration fee is \$25 per calendar year. No part of this fee will be prorated for any part of the year.

**§220-6. Applicant's responsibilities.**

- A. No person may provide tree care services in the Borough before obtaining a current registration.
- B. The person providing tree care services is responsible for the removal of debris resulting from tree care services. This debris may not be placed at the curbside for collection, swept, or deposited into any public or private street, any residence, or left on a property such that same may be caused to be blown into a public and/or private street and/or residence.
- C. No tree care services may be performed in the Borough on Sundays.
- D. The permit issued pursuant to this Chapter, or a photocopy of the permit signed by the permit holder, must be in the actual possession of the person performing tree care services.

**§220-7. Revocation of Registration.** Any person providing tree care services who violates this Chapter or any other Borough ordinances, including but not limited to those relating to dumping, littering, causing excessive noise, or causing damage to roadways or curbing, will, upon conviction for any of these violations, be required to return the registration for that year to the Borough Clerk and refrain from further work in the Borough unless and until the Borough issues registration for a future year.

**§220-8. Violations and Penalties.** Any person convicted of violating the terms of this Chapter will be subject to the penalties set forth in Chapter 174 of this Code.

**Section 2:** All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of any inconsistencies.

**Section 3:** The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional or invalid by any court, the remaining parts of this ordinance will remain in full force and effect.

**Section 4:** This ordinance will take effect upon final approval and publication, according to law.

Introduced and passed first reading: April 13, 2016

Passed second reading: May 11, 2016

ATTEST:

APPROVED BY:

  
Lorraine L. McMackin, Borough Clerk

  
James P. Barsa, Mayor

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