

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE NO. 529-2024

AN ORDINANCE AMENDING SECTIONS 482 OF THE CITY OF CAPE MAY CODE TO CONFIRM THE FEES APPLICABLE TO TREE REMOVAL APPLICATIONS

WHEREAS, pursuant to Ordinance 525-2024, the City Council amended the polices and procedures for the protection of trees in the City of Cape May; and

WHEREAS, the City Council has determined it necessary to update the City Code to confirm the fees applicable to tree removal applications pursuant to the City Code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cape May as follows:

**Section 1.** Section 482-5 of the City of Cape May Code shall be amended as follows (with ~~strikethrough~~ language indicating deletions and **bold/underlined** language indicating new language):

§ 482-5 Permit; Application; Procedure; Fee.

- A. No person shall remove or destroy any tree subject to the regulations contained in this section without first obtaining a tree removal permit from the City.
- B. All applications for tree removal shall be filed with the Cape May City Shade Tree Commission. The applicant shall file an application for a tree removal permit on forms made available in the office of the City Clerk or the Secretary of the Commission. When the application is filed, the applicant shall pay a nonrefundable application fee of \$75 ~~for each tree to be removed~~ **(referred to as the application fee)**. The application shall contain the name and address of the owner of the lands upon which the tree or trees sought to be removed are located, and the type, size and location of tree or trees sought to be removed. If the application is approved, the applicant shall pay an additional \$75 removal fee per tree to be removed as a condition of issuance of the tree removal permit **(referred to as the removal fee)**. **For the avoidance of any doubt, the application fee shall be \$75.00 regardless of the number of trees sought to be removed at a particular property so long as the application pertains to one property. In contrast, the removal fee is tied to the number of trees approved for removal.**
- C. Once a complete application is submitted, the application will be placed on the next available Shade Tree Commission Meeting Agenda. The Shade Tree Commission may direct applications to the Tree Specialist who shall assess and provide a report to the Shade Tree Commission within two weeks of receiving the application.
- D. Tree removal permits shall be reviewed, approved or denied, and a decision shall be issued by the Shade Tree Commission to the owner or his authorized contractor, within five (5) business days of the Shade Tree Commission meeting where the application was reviewed. Permits shall contain the name and address of the owner

of the lands upon which the tree or trees sought to be removed are located, and the type, size and location of tree or trees sought to be removed.

- E. The tree removal permit shall be valid for one year from the date of issuance and will automatically expire at the conclusion of the one-year term. Any request for renewal or extension thereof shall be subject to the procedures for new applications pursuant to this section.

**Section 2.** All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. Should any portion of this Ordinance be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this Ordinance.


**Section 3.** This ordinance shall take effect 20 days after passage and publication, according to law.

ATTEST:

CITY OF CAPE MAY, a municipal corporation of the State of New Jersey



Erin C. Burke, City Clerk

BY:   
Zachary M. Mullock, Mayor

**NOTICE**

Ordinance 529-2024 was introduced at a Regular meeting of the City Council of the City of Cape May, held on March 19, 2024 and was further considered for final passage during a Regular meeting of the City Council, held at the Cape May City Hall Auditorium, 643 Washington Street, Cape May, New Jersey, on April 16, 2024 at 5:00 P.M. at which time a Public Hearing was held.



Erin C. Burke, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain	Motion	Second
Yeager	X					
Meier	X				X	
McDade	X					X
Baldwin			X			
Mullock	X					

Introduced: March 19, 2024  
 1<sup>st</sup> Publication: March 27, 2024  
 2<sup>nd</sup> Reading & Adoption: April 16, 2024  
 Final Publication: April 24, 2024  
 Effective Date: May 14, 2024