

20-1 PURPOSE.

The purpose of this chapter is to provide for the protection, regulation and control of all shade trees planted or growing upon the public highways or in the public parks of the City of Linden. (1979 Code § 9-1)

20-2 DEFINITIONS.

As used in this chapter:

Public place shall mean any public street or highway accepted and maintained by the City, and any public park in the City.

Shade Tree Commission shall mean the Shade Tree Commission of the City and its duly authorized representatives.

Tree shall mean trees, woods, plants and shrubs.

(1979 Code § 9-2)

20-3 REGULATIONS GOVERNING PROTECTION OF TREES.

20-3.1 Permit Required.

No person shall do to any tree in any public place within the City any of the following acts without having first obtained a permit from the Shade Tree Commission.

- a. Cut, prune, trim, break, damage, kill or remove any tree.
- b. Cut, unduly disturb or interfere with in any way any root of a tree.
- c. Remove or damage any guard or device placed to protect any tree.
- d. Plant or set out any shade tree in or on any public place.

(1979 Code § 9-3.1)

20-3.2 Prohibited Acts.

No person shall do any of the following acts to any tree in a public place in the City:

- a. Fasten any rope, wire, sign or other device to a tree or to any guard above such tree.
- b. Allow a wire or other conductor charged with electricity to come into contact with any tree in such manner as may injure, abrade, destroy or kill such tree or plant.
- c. Cause or permit gas or other substances deleterious to tree life to come in contact with the soil surrounding the roots of any tree in any public place in a manner that will injure, kill or destroy the tree.
- d. Cause or permit brine, salt, oil, liquid dye or any other substance deleterious to tree life to lie, leak, pour, flow, drip, or in any other manner enter the soil around the base of a tree in any public place.
- e. Prevent, delay or interfere with the Shade Tree Commission or its authorized agents in the performance of their duties.
- f. Build a fire or station a tar kettle, road roller or other device in any public place in a manner that will result in heat, vapors or fumes therefrom injuring any tree.
- g. Use or operate shovels, machines, equipment, tools or any other implement in such a manner as to damage, injure or destroy a tree.

(1979 Code § 9-3.2)

20-3.3 Protection of Trees During Construction.

In the erection or repair of a building or structure, the owner shall place such guards around all nearby trees on the public highways as shall effectually prevent injury to them. (1979 Code § 9-3.3)

20-3.4 Control of Animals.

No person shall permit any animal owned by him or under his control to damage or destroy any tree or plant on a public thoroughfare, nor shall any person fasten any animal to any such tree or plant. (1979 Code § 9-3.4)

^[1]Editor's Note: The power to provide regulations for the protection and care of trees is part of the general Police power contained in N.J.S.A. 40:48-1, 2.