

**Haddonfield Shade Tree Commission
Fees, Penalties and Replacement Assessment Schedule**

The recent Shade Tree Ordinance (2014-12) replacing Sections 56 and 224 of the Borough Code allowed the Shade Tree Commission (STC) to update its schedule of fees, penalties and tree replacement assessments to reflect current state law and the Borough’s actual tree replacement costs. The relevant portions of the ordinance are, as follows:

- Section 56-9.A., Permits, requires a written application to DPW before a Borough tree may be removed, transplanted, trimmed or other treated. If permission is granted to remove a tree, the property owner “may be responsible for a Tree Replacement Assessment” in addition to paying the cost of removing the permitted tree.
- Section 56-10.A., Penalties, allows the Borough to seek fines of no more than \$1,500 upon conviction for violating the Ordinance. Each and every day of violation may be treated as a separate violation.
- Section 56-10.B., Tree Replacement Assessment, states that any person shall pay a replacement assessment to the Borough for violating this Ordinance, in addition to payment of penalties described in Section 56-10.A.
- However, the wording of the ordinance and the discussion in the STC meetings and at the Borough Commissioners’ work sessions allows the STC to establish different assessment schedules, depending on the situation. In other words, the Tree Replacement Assessment for a correctly permitted activity (Sec. 56-9) may and should be less than the Tree Replacement Assessment assessment for an activity in violation of the Borough Code (Sec. 56-10.B.)
- In developing the two Tree Replacement Assessment schedules, the STC is governed by state law stating the assessment may not exceed \$27.00 per square inch DBH.

Tree Replacement Assessment Schedule for Activities Violating the Ordinance (Sec. 56-10.B.)

While the following schedule for the Proposed Replacement Assessment for Activities in Violation of the Ordinance (Sec. 56-10.B.) shows a range depending on the Diameter at Breast Height (DBH) of a tree, a formula would be used to calculate the specific replacement assessment depending on the diameter (DBH) of the specific tree in question.

- The formula for the specific replacement assessment is: π or 3.14 * (DBH/2)squared * 27.
- DBH may be calculated for a single stem tree as follows: Circumference of the trunk measured at 4.5 feet above ground divided by π or 3.14. In the case of a multi-stem tree, USDA Forestry Service measurement guidelines would be used as the basis for the DBH calculation.
- In the absence of the tree in question, e.g. if it had been removed already in violation of the Ordinance, the STC could depend on the inventoried tree’s size, adjusted for the length of time since the inventory or, if the stump is still in the ground, the DBH of the tree at ground level.

The schedule is as follows:

DBH Range (inches)	Amount Range (\$) From	To
0 – 5”	\$ 0.00	\$ 529.88
GT 5” – 10”	\$ 529.89	\$ 2,119.50
GT 10” – 18”	\$ 2,119.51	\$ 6,687.18
GT 18” – 24”	\$ 6,687.19	\$12,208.32
GT 24” – 36”	\$12,208.33	\$27,468.72
GT 36” – 45”	\$27,468.73	\$42,919.88
GT 45”	Over \$42,919.88	

Tree Replacement Assessment Schedule for Permitted Activities (Sec. 56-9.A.)

The fees shown in the following schedule for the Proposed Replacement Assessment for Permitted Activities are significantly lower than those allowed under state law in order to not penalize residents who abide by our ordinances. The amounts shown are based on the current standard in-ground replacement cost for a new Borough tree. Consistent with Sec. 135-84, this schedule seeks to determine a rough equivalence between the size of the tree to be replaced and the number of trees required to replace that tree.

The schedule is as follows:

DBH Range (inches)	Amount (\$)	Tree Equivalence
0 – 5”	\$ 350.00	1 tree
GT 5” – 10”	\$ 700.00	2 trees
GT 10” - 18”	\$ 1,050.00	3 trees
GT 18” – 24”	\$ 1,400.00	4 trees
GT 24” – 36”	\$ 1,750.00	5 trees
GT 36” – 45”	\$ 2,100.00	6 trees
GT 45”	\$ 2,450.00	7 trees