

**Township of Montclair**  
**Department of Community Services**

*Frequently Asked Questions (FAQs) Relating to  
Montclair Tree Preservation Ordinance  
Montclair Municipal Code § 324-1 et seq.*

Q1: When we obtain the permit do we need to wait for the arborist to go and review or can we proceed once we have the permit?

A1: An owner / contractor may proceed once you have filed and obtained Tree Removal Permit

Q2: Who will review and who will let us know when a fee is waived for a tree that is considered dangerous or dead?

A2: Your Tree Removal Contractor can determine whether a particular tree is dead or dangerous. This condition waives the \$15 Tree Removal Permit fee but does not waive any other requirements of the law, including the requirement to re-plant or, if not, to pay \$250 into the Tree Fund.

Q3: Does the replacement fee have to be paid if the customer is replacing a removed tree on their own?

A3: No, if the tree is being replaced on-site then there is no payment to the Tree Fund which is only when the property owner is not replanting on-site. However, the Contractor still has to certify on behalf of the property owner on the Tree Removal Permit application that the property owner is replanting a native shade tree on its property. The Town Arborist as well as members of the Environmental Commission will perform random audits of permit applications for compliance and violators will be referred to the Town Attorney for enforcement in the municipal court.

Q4: If the arborist or the Town considers a tree a weed tree who will inform the customer and shouldn't this be done in writing?

A5: There is no definition of or exemption for "weed trees"