ORDINANCE 2026-19

AN ORDINANCE OF COLTS NECK TOWNSHIP IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING SALARY AND WAGE ORDINANCE 2026-16

WHEREAS, Colts Neck Township (the "Township") regulates salaries pursuant to Salary and Wage Ordinance No. 2026-16; and

WHEREAS, the Township Committee wishes to amend Salary and Wage Ordinance No. 2026-16 to further define certain job titles and salary ranges; and

WHEREAS, the Township Committee finds it to be in the best interest of the citizens of the Township to amend Salary Ordinance No. 2026-16.

NOW, THEREFORE BE IT ORDAINED by the Township Committee of Colts Neck Township, in the County of Monmouth, State of New Jersey that the Township's Salary and Wage Ordinance No. 2026-16 is hereby amended as follows (additions to text indicated by ***bold italicized underline***; deletions to text indicated by ~~***bold italicized strikeout***~~):

Title	Department	Minimum	Maximum
Municipal Clerk/Public Information Officer	Administration	$85,000	$150,000
Registrar of Vital Statistics	Administration	$1,700	$2,300
Deputy Registrar of Vital Statistics	Administration	$1,100	$1,500
Clerical – Administration – Part-time	Administration	$13/Hour	$20/Hour
Code Enforcement Officer	Code Enforcement	$65,000	$90,000
Code Enforcement Officer – Part-time	Code Enforcement	$25/Hour	$40/Hour
Construction Official	Construction	$25,000	$55,000
Technical Assistant to Construction Official - Part-time	Construction	$25,000	$55,000
Technical Assistant to Construction Official – Assistant	Construction	$20,000	$50,000
Electric Inspector/Sub-Code Official	Construction	$23,500	$40,000
Building Inspector	Construction	$23,500	$40,000
Plumbing Inspector/Sub-Code Official	Construction	$30,700	$50,000
Plumbing Inspector	Construction	$12,000	$25,000
Building Inspector/Sub-Code Official/Fire Inspector	Construction	$35,000	$75,000
UCC Building Inspector	Construction	$15,000	$25,000
Building Inspector – Part-time	***Construction***	***$5,000***	***$15,000***

Title	Department	Minimum	Maximum
Director of Public Works	Department of Public Works	$78,000	$175,000
Foreman	Department of Public Works	$68,500	$150,000
Heavy Equipment Operator	Department of Public Works	$60,000	$90,000
Facility Maintenance Worker	Department of Public Works	$50,000	$85,000
Laborer	Department of Public Works	$40,000	$75,000
Mechanic	Department of Public Works	$45,000	$90,000
Mechanic — Part-time	Department of Public Works	$18/Hour	$35/Hour
Secretary to Director of Public Works	Department of Public Works	$40,000	$75,000
Convenience Center Attendant — Part-time	Department of Public Works	$15/Hour	$25/Hour
Seasonal Laborer — Part-time	Department of Public Works	$15/Hour	$25/Hour
Temporary Laborer	Department of Public Works	$25/Hour	$75/Hour
Finance Officer/Treasurer	Finance	$65,000	$140,000
Tax Collector/Tax Search Officer	Finance	$24,700	$55,000
Purchasing Agent	Finance	$3,000	$10,000
Deputy Treasurer/Deputy Tax Collector	Finance	$40,000	$75,000
Tax Clerk/Bookkeeper	Finance	$40,000	$75,000
Finance Clerk/Administrative Assistant — Clerk's Office	Finance	$40,000	$60,000
Shared Services Pay — Finance/Tax	Finance	$3,000	$25,000
Tax Assessor	Tax Assessment	$28,000	$55,000
Health Officer	Health Department	$85,000	$150,000
Well Inspector	Health Department	$1,500	$3,500
Municipal Court Judge	Municipal Court	$20,000	$45,000
Court Administrator	Municipal Court	$45,000	$90,000
Deputy Court Administrator	Municipal Court	$40,000	$75,000

Title	Department	Minimum	Maximum
Violations Clerk	Municipal Court	$35,000	$60,000
Township Planner	Planning & Zoning	$85,000	$150,000
Secretary to Planning Board and Board of Adjustment	Planning & Zoning	$35,000	$56,000
Police Chief	Police	$125,000	$225,000
Secretary to Police Chief	Police	$40,000	$70,000
Police Lieutenant	Police	$110,000	$200,000
SLEO III	Police	$25/Hour	$40/Hour
SLEO II Part-time	Police	$18/Hour	$25/Hour
Police Records Clerk	Police	$35,000	$55,000
Police Clerk — Part-time	Police	$14/Hour	$25/Hour
Director of Recreation and Parks	Recreation	$68,000	$110,000
Secretary Recreation and Parks	Recreation	$40,000	$65,000
Summer Camp Supervisor	Recreation	$20/Hour	$35/Hour
Summer Camp Assistant Supervisor	Recreation	$17/Hour	$25/Hour
Summer Camp Arts & Crafts Supervisor	Recreation	$14/Hour	$25/Hour
Summer Camp Outside Coordinator	Recreation	$12/Hour	$20/Hour
Summer Camp Trip Coordinator	Recreation	$12/Hour	$20/Hour
Summer Camp Counselor	Recreation	$11.90/Hour	$18/Hour
Summer Camp Counselor in Training	Recreation	$6/Hour	$15/Hour
Seasonal --- Part-time	Recreation	$15/Hour	$25/Hour
Fire Official	Fire Prevention	$20,000	$30,000
Fire Inspector -- Part-time	Fire Prevention	$8,000	$25,000
Smoke Certification Inspector	Fire Prevention	$2,000	$5,000
Fire Prevention Secretary - Part-time	Fire Prevention	$1,500	$3,500

Title	Department	Minimum	Maximum
Township Administrator	Administration	$110,000	$220,000
Interim Township Administrator	***Administration***	***$5,000/Month***	***$10,000/Month***
Mayor, Deputy Mayor and Committee Members	Elected Officials	$1,500	$3,500

SECTION ONE: Secretaries for the Farmland and Open Space Committee, Environmental Commission, and Historic Preservation Committee shall be paid at a rate of $10 per hour for clerical support and $50 per meeting attended.

SECTION TWO: The Township Committee shall establish those officials and employees of Colts Neck Township who are entitled to mileage compensation for the use of their personal vehicles. Such compensation is hereby fixed at the federal mileage reimbursement rate as determined by the Internal Revenue Service.

SECTION THREE: The Township Committee reserves the right to pay annual bonus payments not to exceed $5,000 to non-union personnel.

SECTION FOUR: All ordinances or parts of ordinances in conflict with this ordinance or any part thereof are hereby repealed.

SECTION FIVE: This ordinance shall take effect upon final passage and publication according to law.

The foregoing Ordinance was introduced and passed on the first reading at the meeting of the Township Committee of Colts Neck Township on the September 30, 2026 and will be considered for final passage and adoption on October 14, 2026, 6:30 p.m. Town Hall, 1 Veterans Way at which time and place a public hearing will be held for all persons desiring to be heard thereon will be given full opportunity.

_____

Kathleen Capristo, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	September 30, 2026					October 14, 2026				
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Mayor Viola												
Deputy Mayor Buzzetta												
Rizzuto												
Torchia Buss												
Tobia												

M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent

ORDINANCE 2026-20

ORDINANCE AMENDING CHAPTER 98 "CONSTRUCTION CODES, UNIFORM" OF THE CODE OF THE TOWNSHIP OF COLTS NECK, COUNTY OF MONMOUTH, AND STATE OF NEW JERSEY TO REMOVE PORTIONS OF THE SECTION OF THE CODE RELATING TO CONSTRUCTION PERMIT FEES

WHEREAS, the New Jersey Department of Community Affairs ("DCA") oversees municipal regulations of construction concerns, including the setting of fees for construction permits; and

WHEREAS, the DCA has reviewed the Colts Neck Township code relating to construction permit fees; and

WHEREAS, the DCA has determined several provisions of the Township's ordinance relating to permit fees should be removed via amendment.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of Colts Neck Township, County of Monmouth, and State of New Jersey, as follows (additions to text indicated by **bold italicized underline**; deletions to text indicated by ~~***bold italicized strikeout***~~):

SECTION 1. Chapter 98 of the Code of the Township of Colts Neck shall be amended as follows:

§ 98-3 Construction permit fees.

A. Plan review fee. The plan review fee shall be 20% of the amount to be charged for a permit. Plan review fees are not refundable. Plan review fee for initial submission: Two hundred dollars will be deducted from final cost of the permit.

B. Basic construction fee. The basic construction fee shall be the sum of the parts computed on the basis of the volume or the cost of construction, the number of plumbing fixtures and devices, the number of sprinklers, standpipes and the heat and smoke detectors at the unit rates, electrical devices and equipment provided herein, plus any special fees.

C. Building subcode fees.

(1) New construction: The fee shall be based on the total volume in cubic feet of the structure or structures, as the case may be, multiplied by the applicable cost per cubic foot.

(a) Use Groups H, I-1, I-2, I-3, E, R-1, R-2, R-3, R-4, and R-5: $0.034 per cubic foot.

(b) Use Groups A-1, A-2, A-3, A-4, A-5, F-1, F-2, B, M, U, S-1 and S-2 structures on farms, including commercial farm buildings: $0.030 per cubic foot.

(2) Additions. The fees for additions shall be computed on the same basis as for new construction for the added portion.

(3) Reconstruction alterations, renovations and repairs.

(a) For estimated cost ~~***up to and including $100,000***~~:

[1] Use Groups R-1, R-2, R-3, R-4, R-5, and U: $32 per $1,000.

[2] Use Groups A-1, A-2, A-3, A-4, A-5, B, E, F-1, F-2, H, I-1, I-2, I-3, M, S-1 and S-2: $36 per $1,000.

~~***(b) If the cost exceeds $100,000, there shall be an additional charge as follows:***~~

~~***[1] Use Groups R-1, R-2, R-3, R-4, R-5, and U: $20 per $1,000.***~~

~~***[2] Use Groups A-1, A-2, A-3, A-4, A-5, B, E, F-1, F-2, H, I-1, I-2, I-3, M, S-1 and S-2: $20 per $1,000.***~~

(b)~~(c)~~ The applicant shall submit to the Construction Code Official such data as may be available to provide a bona fide estimated cost. The Construction Official shall make the final decision regarding estimated cost.

(4) The combination fee for renovations and additions shall be the sum of the fees computed separately in accordance with Subsections C, D, & E.

~~*(5) Roofing and siding fees.*~~

~~*(a) As per alteration fee: $25 per thousand (minimum charge $100).*~~

(5)~~(6)~~ Minimum fee for building subcode permits: $75.

(6)~~(7)~~ Wind/solar electric systems:

(a) R-5 roof or ground installation: as per Subsection E.

(b) All other types: $32 per thousand.

(7)~~(8)~~ Installation of swimming pools.

(a) Construction of a swimming pool, inground or aboveground: $32 per $1,000.

(8)~~(9)~~ Temporary pools/spas/hot tub (maximum 90 days): $75.

(9)~~(10)~~ Construction of accessory structures, storage sheds, etc.: $25 per $1,000.

(10)~~(11)~~ Demolition and removal of structures:

(a) Accessory structure (Type U) under 300 square feet: $200.

(b) One- and two-family structures (Use Group R-5) up to 3,000 square feet: $500.

(c) All structures (except multistory structures) above 3,001 square feet: $1,000.

(d) Multistory structures will be priced to the alteration cost schedule.

(11)~~(12)~~ Demolition or removal or abandonment of tanks:

(a) Demolition or removal of tanks up to 1,000 gallons: $175.

(b) Demolition or removal of tanks 1,001 to 5,000 gallons: $225.

(c) Demolition or removal of tanks above 5,001 gallons: $300.

(12)~~(13)~~ Satellite dishes and radio transceiver equipment:

(a) Installation of a satellite dish or radio, television or other transceiver equipment for residential use: $40.

(b) Installation of a satellite dish or radio, television or other transceiver equipment for nonresidential or commercial use: $250.

(13)~~(14)~~ Asbestos hazard abatement, for each construction permit issued: $75.

(14)~~(15)~~ Lead hazard abatement, for each construction permit issued: $75.

(15)~~(16)~~ Tents and temporary structures. For purposes of this subsection, tents and temporary structures are defined by N.J.A.C. 5:23-2.14(b)4.

(a) Tents without appurtenances in excess of 900 square feet or more than 30 feet in any dimension, excluding canopies: $100.

(b) The permit fee for a temporary structure used for construction or other activities whose life is limited to not more than one year: $200.

(16)~~(17)~~ Signs. The fee to construct a sign shall be in the amount of $2 per square foot of surface area of the sign, computed on one side only for double-faced signs, which are in allowance with the UCC regulations.

(17)~~(18)~~ Change of contractor (permit update): minimum fee per subcode.

D. Electrical fees.

(1) Switching, lighting, receptacle and solar panels (devices of less than one horsepower or one kilowatt included):

(a) One to 50: $75.

(b) Each additional 25: $25.

(2) Each service panel, meter, subpanel, disconnect or meter stack, etc.:

(a) Up to 200 amperes: $75.

(b) Up to 201 to 400 amperes: $150.

(c) Larger than above 401 to 600 amperes: $300.

(d) Above 601 to 1,000 amperes: $500.

(e) Over 1,000 amperes: $700.

(3) Transformers, generators, alternative generating systems, each:

(a) One to 10 kilowatts: $50.

(b) Eleven to 45 kilowatts: $125.

(c) Fourty-six to 112.5 kilowatts: $300.

(d) Larger than 112.5 kilowatts: $525.

(e) Solar, wind, hydro inverters, each: $50.

(4) Motors and electrical devices (control equipment, heating, air handling, compressor, heat pump, air handler, strip heater, water heater, dryer, oven, range, furnace and dishwasher, etc.):

(a) One to 10 horsepower: $25.

(b) Eleven to 50 horsepower: $50.

(c) Fifty one to 100 horsepower: $100.

(d) Larger than 100 horsepower: $325.

(5) Annual electrical inspection fee for bonding and grounding certificates for commercial pools, spas and hot tubs: $75 (commercial).

(6) Five-year bonding and grounding test: $125 (commercial).

(7) Furnace and air conditioner replacement, residential only:

(a) Direct replacement HVAC equipment: $75 each for the first two, $25 per piece after the first two.

(8) Wind/solar electric systems as per item cost above.

(9) The minimum fee for electrical permits shall be $75.

E. Fire protection fees.

(1) Smoke, heat and CO detectors:

(a) Five or less: $40.

(b) Each additional 15: $20.

(2) Alarm devices (heat pulls, water flow):

(a) Five or less: $40.

(b) Each additional 15: $25.

(3) Supervisory devices (tampers, low/high air) or signaling devices (horns/strobes, bells):

(a) Five or fewer: $40.

(b) Each additional 15: $25.

(4) Sprinkler heads (wet or dry):

(a) Ten or fewer: $50.

(b) Eleven to 100: $120.

(c) One hundred one to 200: $250.

(d) Two hundred one to 400: $600.

(e) Four hundred one to 600: $1,000.

(5) Standpipes: $300 each.

(6) Kitchen exhaust systems (commercial): $100 each.

(7) All fireplaces (wood or gas): $50 each.

(8) Gas- and oil-fired appliance that is connected to plumbing system: $50 each.

(9) Tank installation:

(a) Up to 550 gallons: $100 each.

(b) Over 550 gallons: $200 each.

(c) Incinerators: $500 each.

(d) Crematoriums: $500 each.

(e) Alarm panel: $75 each.

(f) Fire pumps: $200 each.

(g) Preaction valves: $50 each.

(h) Dry pipe/alarm valve: $50 each.

(i) Smoke control systems: $65 each.

(10) Incinerators: $500 each.

(11) Crematoriums: $500 each.

(12) Installation of factory-built chimneys and chimney liners shall be $25 each.

(13) The minimum fee for fire permits shall be $75.

(14) Independent preengineered systems: $150 for each system.

(15) Gas- or oil-fired appliances: $25 for each appliance.

(16) kitchen exhaust systems (residential): $50 each.

F. Plumbing fees.

(1) Fixtures and appliances connected to or components of a plumbing system: $25 per fixture/appliance.

(2) Waste/vent stacks: $25 each.

(3) Special devices, including, but not limited to, grease traps, separators, interceptors, air-conditioning units, refrigeration units, sewer connections, gas-fired appliances, water service connections, backflow preventer, sewer pumps and fuel oil piping, pool drains, generators, well connections, septic connections, pool heaters, steam units, water conditioners: $75 each.

(4) Direct replacement HVAC equipment: $75 each for the first two, $25 per piece after the first two.

(5) Steam/hot-water boilers: $75 each.

(6) Gas piping service: $75 per system.

(7) Appliances added to a gas piping system: $25 per appliance.

(8) Water heaters:

(a) Conventional type: $75 each.

(b) Tankless water heater: $75 each.

(c) Boiler type add-on: $25.

(9) Installation of liquefied petroleum containers: $100 for each container.

(10) Fuel oil tanks installation:

(a) Up to 1,000 gallons: $150;

(b) Over 1,000 gallons: $250.

(11) Removal of AST or UST: $200.

(12) The minimum fee for plumbing permits shall be $75.

G. Construction permit surcharge fee. In order to provide for the training, certification and technical support programs required by the Uniform Construction Code Act,[1] an enforcing agency shall collect a surcharge fee, to be based upon the volume of new construction or estimated cost of alteration/renovation, in accordance with N.J.A.C. 5:23-4.19(b).

H. State of New Jersey permit fees. The fees shall be computed in accordance with N.J.A.C. 5:23-2.28 except pre-engineered systems of commercial farm buildings. No fee shall be collected for pre-engineered systems of commercial farm buildings.

I. Certificate of occupancy.

(1) New construction/additions/tenant fit up/reconstruction: 10% of total construction permit fee.

(2) Change in use: $100.

(3) Continuation of use under N.J.A.C. 5:23-2.23(c): $125.

(4) Variation:

(a) Submission: $75.

(b) Resubmission: $50 each.

(5) Temporary certificate of occupancy extension: $35.

J. Mechanical subcode fees.

(1) Heating equipment: $75 per system.

(2) Cooling equipment: $75 per system.

(3) After two units: $25 per unit thereafter.

(4) Generator/water heater/pool heater: $75 per unit.

(5) LPG tank install and/or removal: $150 per unit.

(6) Oil tank UST removal: $150 per unit.

(7) Oil tank AST removal: $150 per unit.

(8) Fuel tanks 1,000 gallons and higher: $300 per unit; install and removal above 1,000 gallons: $500.

(9) Gas piping: $100 per system.

(10) Gas type appliances: $25 per unit.

(11) Gas fireplace or like equipment: $75 per unit.

(12) Hydronic piping, pumps, etc.: $75 per system.

(13) Duct work, new/replace: $100.

(14) Chimney/vent, new/replace: $100 per unit.

(15) Split units: $75, plus $25 per head unit.

K. Annual review of fee schedules. The construction official shall, with the advice of the subcode officials, prepare and submit to the Township Committee, annually, a report recommending a fee schedule based on the operating expenses of the agency and other expenses of the municipality attributable to the enforcement of the State Uniform Construction Code Act and subcodes.

SECTION 2. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed. All portions of the ordinance not modified herein remain in full force and effect.

SECTION 3. Should any section, clause, sentence, phrase or provision of this ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 4. This ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

The foregoing Ordinance was introduced and passed on the first reading at the meeting of the Township Committee of Colts Neck Township on the September 30, 2026 and will be considered for final passage and adoption on October 14, 2026, 6:30 p.m. Town Hall, 1 Veterans Way at which time and place a public hearing will be held for all persons desiring to be heard thereon will be given full opportunity.

_____

Kathleen Capristo, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	September 30, 2026					October 14, 2026				
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Mayor Viola												
Deputy Mayor Buzzetta												
Rizzuto												
Torchia Buss												
Tobia												

M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent

ORDINANCE 2026-21

AN ORDINANCE OF COLTS NECK TOWNSHIP IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 102, "DEVELOPMENT REGULATIONS," OF THE CODE OF THE TOWNSHIP OF COLTS NECK

WHEREAS, the Colts Neck Township Committee is aware of facilities that are commonly known as "data centers," and sometimes referred to "internet data centers" or "cloud data centers," that are utilized to house computer systems and associated components such as telecommunication and data storage systems, redundant or "backup" components, infrastructure for power supply, data communication connections, environmental and safety controls for building climate, equipment cooling, and fire suppression, and security devices, systems, and installations, for the purpose of aggregating collective computing demands for cloud services, video streaming, blockchain and crypto mining, artificial intelligence and machine learning, virtual reality, and other data maintenance and transmission purposes; and

WHEREAS, the Colts Neck Township Committee is aware of growing public concerns about data centers and their potential environmental and socioeconomic impacts, including but not limited to high electricity and water consumption that can result in electrical grid overload and outages, increased consumer energy prices, and aquifer depletion; heat generation; interference with cellular and wireless communications; and disturbing, disruptive ambient noise; and

WHEREAS, neither data centers as described above, nor any similar types of functionally equivalent but differently-named facilities, have been recommended or otherwise designated as permitted or conditionally-permitted uses or structures in the Colts Neck Township Master Plan; nor are data centers or similar facilities listed as permitted or conditionally-permitted uses or structures in any of Colts Neck Township's zoning districts; nor are data centers or similar facilities included within any current category or classification of permitted or conditionally-permitted uses or structures in any of Colts Neck Township's zoning districts; and

WHEREAS, for the foregoing reasons "data centers" as described above are not and have never been permitted or conditionally-permitted by right in any Colts Neck Township zoning district; and

WHEREAS, Section 102-22 of Colts Neck Township Code, Chapter 102 "Development Regulations" Subsection 22 "Prohibited Uses" provides that all uses not expressly permitted by this chapter are prohibited, and

WHEREAS, given the growing public concern about data centers and their potentially detrimental environmental and socioeconomic impacts, and public nuisance and the need to learn more about them before determining whether or subject to what conditions they might be permitted in any of Colts Neck Township's zoning districts, the Colts Neck Township Committee has deemed it necessary and appropriate to state clearly in the Colts Neck Township Code that data centers are, and shall continue to be, prohibited uses/structures in all of Colts Neck Township's zoning districts unless and until they can be recommended in Colts Neck Township's Master Plan, and appropriately designated as permitted or conditionally-permitted uses/structures in any one or more of Colts Neck Township's zoning districts; and

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Colts Neck, in the County of Monmouth, State of New Jersey, as follows: (additions to text indicated by underline; deletions to text indicated by ~~strikeout~~).

SECTION I That Chapter 102 "Development Regulations" Article IV "Terminology" Subsection 4 "Definitions" is hereby amended to include the following new definition:

DATA CENTERS
A facility used primarily for the storage, management, processing, and analysis of digital and electric data that houses computer and network systems and includes associated components such as telecommunication and data storage systems; redundant or "backup" power and data storage components; electrical transformers, substations, and other power supply infrastructure; data communication connections; environmental and safety controls for building climate, equipment cooling, and fire suppression; and security devices,

systems, and installations, to serve as off-site or remote accessory facilities available and accessible to users via telecommunication or internet utilities for the purpose of aggregating collective computing demands for cloud services, video streaming, blockchain and crypto mining, artificial intelligence and machine learning, including the training, development, testing, and deployment of artificial intelligence and machine-learning models, virtual reality, and other internet, telecommunication, computing, artificial intelligence, data storage, maintenance, processing, analysis, and transmission purposes. Such facilities may include high-performance computing systems, specialized processors, and other computing infrastructure designed or utilized for artificial intelligence, machine learning, and other computationally intensive applications. Sometimes referred to as "internet data centers" or "cloud data centers" (and any and all functionally equivalent but differently named uses, structures and facilities).

SECTION II That Chapter 102 "Development Regulations" Article VIII "Zoning Requirements" Subsection 84B "Principal permitted uses on land and buildings" be amended and supplemented in the following parts only:

11. Data Centers, sometimes referred to as internet data centers or cloud data centers, shall be prohibited.

SECTION III That Chapter 102 "Development Regulations" Article VIII "Zoning Requirements", Subsection 85B "Principal permitted uses on land and in buildings" be amended and supplemented in the following parts only:

7. Data Centers, sometimes referred to as internet data centers or cloud data centers, shall be prohibited.

SECTION IV That Chapter 102 "Development Regulations" Article VIII "Zoning Requirements", Subsection 85.2B "Principal permitted uses on land and in buildings" be amended and supplemented in the following parts only:

5. Data Centers, sometimes referred to as internet data centers or cloud data centers, shall be prohibited.

SECTION V That Chapter 102 "Development Regulations" Article VIII "Zoning Requirements", Subsection 85.3B "Principal permitted uses" be amended and supplemented in the following parts only:

5. Data Centers, sometimes referred to as internet data centers or cloud data centers, shall be prohibited.

SECTION VI That Chapter 102 "Development Regulations" Article VIII "Zoning Requirements", Subsection 86B "Principal permitted uses on land and buildings" be amended and supplemented in the following parts only:

10. Data Centers, sometimes referred to as internet data centers or cloud data centers, shall be prohibited.

SECTION VII That Chapter 102 "Development Regulations" Article X "Zoning Requirements" Subsection 109B "Principal permitted uses on land and in buildings" be amended and supplemented in the following parts only:

17. Data Centers, sometimes referred to as internet data centers or cloud data centers, shall be prohibited.

SECTION VIII That Chapter 102 "Development Regulations" Article X "Zoning Requirements" Subsection 111B "Permitted principal uses" be amended and supplemented in the following parts only:

4. Data Centers, sometimes referred to as internet data centers or cloud data centers, shall be prohibited.

SECTION IX That Chapter 102 "Development Regulations" Article X "Zoning Requirements" Subsection 112B "Principal permitted uses on the land and in buildings" be amended and supplemented in the following parts only:

14. Data Centers, sometimes referred to as internet data centers or cloud data centers, shall be prohibited.

SECTION X That Chapter 102 "Development Regulations" Article X "Zoning Requirements" Subsection 112.1B "Principal permitted uses on land and in buildings" be amended and supplemented in the following parts only:

9. Data Centers, sometimes referred to as internet data centers or cloud data centers, shall be prohibited.

SECTION XI: Severability.

If any section, paragraph subsection, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainer of this ordinance shall be deemed valid and effective.

SECTION XII: Repealer.

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this ordinance shall remain in full force and effect.

SECTION XIII: Inconsistent Ordinance.

All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

SECTION XIV: This ordinance shall take effect immediately upon passage, publication and filing according to law.

The foregoing Ordinance was introduced and passed on the first reading at the meeting of the Township Committee of Colts Neck Township on the September 30, 2026 and will be considered for final passage and adoption on October 14, 2026, 6:30 p.m. Town Hall, 1 Veterans Way at which time and place a public hearing will be held for all persons desiring to be heard thereon will be given full opportunity.

_____
Kathleen Capristo, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	September 30, 2026					October 14, 2026				
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Mayor Viola												
Deputy Mayor Buzzetta												
Rizzuto												
Torchia Buss												
Tobia												

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ORDINANCE 2026-22

AN ORDINANCE OF COLTS NECK TOWNSHIP IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF COLTS NECK

WHEREAS, the Colts Neck Township adopted Ordinance No. 2019-18 establishing rules and regulations governing Temporary Mobile Retail Food Establishments (Food Trucks) on September 9, 2019, and

WHEREAS, Colts Neck has now administrated and enforced Temporary Mobile Retail Food Establishments for approximately six years and has gained substantial operating experience; and

WHEREAS, during this six-year period, Colts Neck has determined that the existing limitation permitting only one (1) food truck at a time has unnecessarily restricted opportunities for local businesses, reduced consumer choice, and limited the effectiveness of food truck events and commercial activity within designated areas; and

WHEREAS, Colts Neck has further determined that allowing up to four (4) food trucks to operate simultaneously in approved locations can be accomplished without adverse impacts to traffic circulation, parking availability, pedestrian safety, or adjacent properties when subject to the operational standards and conditions set forth in the ordinance; and

WHEREAS, the current ordinance permits Temporary Mobile Retail Food Establishment operations for periods of up to 90 days without renewal or additional inspections; and

WHEREAS, the 90-day permit duration is excessively long and may allow changes to occur to Temporary Mobile Retail Food Establishments equipment, operations, safety systems or sanitary conditions without timely municipal oversight; and

WHEREAS, the Township Committee has determined that increasing the number of food trucks from one to four and decreasing the duration of the permit from 90 days to 30 days are consistent with the Township's goals of encouraging responsible economic development while maintaining appropriate safeguards for public health, safety and welfare of the general public.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Colts Neck, County of Monmouth, State of New Jersey as follows: (additions to text indicated by underline; deletions to text indicated by ~~strikeout~~).

SECTION I: That Chapter 29, Fire Prevention Bureau, subsection 7, Registration, inspections, permits and fees be amended and supplemented in the following parks only.

§29-7C(11) Temporary mobile retail food establishments.

The Fire Marshal may inspect temporary mobile retail food establishments at any time during the duration of the fire safety permit or ~~ninety-day~~ thirty-day extended fire safety permit. The application for a ~~ninety-day~~ thirty-day extended permit must clearly state the specific dates and locations the temporary mobile retail food establishment will be operating. The ~~ninety-day~~ thirty-day extended fire safety permit shall be attached to a specific vehicle or temporary mobile retail food establishment. Vendors with multiple vehicles shall obtain separate ~~ninety-day~~ thirty-day fire safety permits for each vehicle used. The fee for a temporary mobile retail food establishment fire safety permit shall be as follows:

a) One-day permit: $54.
b) ~~Ninety-day~~ Thirty-day extended permit: $~~400~~150.

SECTION II: That Chapter 124 Food Establishments of the Code of the Township of Colts Neck be amended and supplemented in the following parts only.

§ 124-3 Application information and fee.

A. The temporary mobile retail food establishment license shall be valid for a maximum of ~~90~~ 30 days.

B. At the time of filing the application, a fee of ~~$100~~ $250 shall be paid to the Municipal Clerk to cover the cost of investigation of the facts stated therein.

§ 124-4 Temporary mobile retail food establishment rules and regulations.

Property owners may invite ~~a~~ temporary mobile retail food establishments on their premise subject to the following rules and regulations.

B. Property owners may invite a maximum of four temporary mobile retail food establishments on site for a total of no more than three times per calendar week per mobile retail food establishment.

C. A temporary mobile retail food establishment shall not be invited for longer than eight hours per day and at all other times must remove from the parcel all materials associated with the business.

D. No temporary mobile retail food establishment shall operate before 7:00 a.m. or after 10:00 p.m. This period does not include setup or breakdown operations.

E. Temporary mobile retail food establishments shall not operate within 200 linear feet of a brick-and-mortar retail food establishment building.

F. Temporary mobile retail food establishments in the B-1 Business Zone shall not operate within 500 linear feet of a residential zone boundary.

G. Temporary mobile retail food establishments shall maintain a twenty-foot separation from any building on-site.

§ 124-5 Exemption

The following activities shall be exempted from this chapter and obtaining a Temporary Mobile Retail Food license from the Township Clerk, but may require a retail food establishment license and fire safety permit:

E. Temporary Mobile retail food establishments associated with a Township approved event on Township parkland or other Township property.

SECTION III: That Chapter 243, Food Establishments, Subsection 6 be amended and supplemented in the following parts only

§ 243- 6D A temporary retail food operator(s) license (in accordance with N.J.A.C. 8:24) shall be valid for a maximum period of 14 consecutive days. The fee for a fourteen-day temporary retail food operator(s) license shall be $60. An extended temporary retail food operator(s) license shall be valid for a maximum of ~~90~~30 consecutive days. The fee for a thirty-day extended temporary retail food operator(s) license shall be ~~$300~~ 150.

SECTION IV: Severability.

If any section, paragraph subsection, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainer of this ordinance shall be deemed valid and effective.

SECTION V: Repealer.

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this ordinance shall remain in full force and effect.

SECTION VI: Inconsistent Ordinance.

All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

SECTION VII: This ordinance shall take effect immediately upon passage, publication and filing according to law.

The foregoing Ordinance was introduced and passed on the first reading at the meeting of the Township Committee of Colts Neck Township on the September 30, 2026 and will be considered for final passage and adoption on October 14, 2026, 6:30 p.m. Town Hall, 1 Veterans Way at which time and place a public hearing will be held for all persons desiring to be heard thereon will be given full opportunity.

_____

Kathleen Capristo, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	September 30, 2026					October 14, 2026				
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Mayor Viola												
Deputy Mayor Buzzetta												
Rizzuto												
Torchia Buss												
Tobia												

M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent

ORDINANCE 2026-23

AN ORDINANCE OF COLTS NECK TOWNSHIP IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF COLTS NECK

WHEREAS, in 2022, the New Jersey Department of Environmental Protection ("NJDEP") revised the Tier A Municipal Stormwater General Permit; and

WHEREAS, the revised permit requires municipalities to adopt and enforce a community-wide ordinance to control tree removal and replacement for all types of properties where the municipality has jurisdiction; and

WHEREAS, the NJDEP promulgated a model tree removal and replacement ordinance for municipalities in New Jersey to adopt to comply with the revised Tier A Municipal Stormwater General Permit; and

WHEREAS, the Township Committee of Colts Neck Township is defined as a Tier A Municipality by the NJDEP, therefore, mandating the adoption of a tree removal and replacement ordinance; and

WHEREAS, the Township Committee of Colts Neck Township has determined that it is in the best interest of the Township to adopt provisions consistent with the NJDEP model tree removal and replacement ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Colts Neck, County of Monmouth, State of New Jersey as follows: (additions to text indicated by underline; deletions to text indicated by ~~strikeout~~).

SECTION I: That Chapter 62 Shade Trees, Subsection 7 "Tree removal" of the Code of the Township of Colts Neck be amended as follows:

§62-7. Tree removal

A. No tree within a Township right-of-way and/or Township greenway or access easement for a greenway or within any Township-owned land may be removed or trimmed by the adjoining property owner without Commission approval. ~~Street trees pursuant to § 102-71A and planted on private property may be removed by the property owner at any time and for any reason once the maintenance guarantee posted by the developer is released and the Township has accepted the tree.~~

SECTION II: That Chapter 102 Development Regulations Article V, Development Review Procedures and Plat Details, Subsection 38 "Plat design standards for subdivision plats" of the Code of the Township of Colts Neck be amended and supplemented in the following parts only:

§102-38. Plat design standards for subdivision plats.

B Minor subdivision plat for classification and approval.

(1) (q) The location of individual street trees with a DBH of 2.5" or greater or trees with a DBH equal to or greater than ~~10~~ 6 inches shall be identified by size and species. All areas of intended tree removal shall be clearly labeled identifying each street tree with a DBH of 2.5" or more and individual trees with a DBH equal to or greater than ~~10~~ 6 inches that is to be removed.

D Preliminary major subdivision plat

(7) The location of street trees with a DBH of 2.5" or more and individual trees with a DBH equal to or greater than ~~10~~ 6 inches shall be identified by size and species. All areas intended for tree removal and each street tree with a DBH of 2.5" or more and individual trees with a DBH equal to or greater than ~~10~~ 6 inches to be removed shall be clearly labeled. A tree protection detail and/or limit of disturbance line detail shall be provided. The proposed location of shade trees to be provided by the subdivider in accordance with § **102-71**, Shade trees, wooded areas and landscaping, in Part 3 shall also be shown. All landscaping plans shall be prepared in

accordance with the provisions of this chapter and shall show the location, species (both botanical and common name), size, number of each type of tree or shrub, the location, type and amount of each type of ground cover, plant list and planting details for trees, shrubs and ground cover.

SECTION III: That Chapter 102 Development Regulations, Article V, Development Review Procedures and Plat Details, Subsection 39 "Plat design standard for site plan plots" of the Code of the Township of Colts Neck be amended and supplemented in the following parts only:

§102-39 Plat design standards for site plan plats

D. Preliminary site plan plat

[16] Location of street trees with a DBH of 2.5" or more and individual trees with a DBH equal to or greater than ~~10~~ 6 inches shall be identified by size and species.

[17] Clear labeling of the areas intended for tree removal and identifying each street tree with a DBH of 2.5" or more and individual trees with a DBH equal to or greater than ~~10~~ 6 inches that it is proposed to be removed.

SECTION IV: That Chapter 102 Development Regulations, Article VIII Design Requirements Common to All Districts, Subsection 80.1 "Tree removal" of the Code of the Township of Colts Neck be amended and supplemented in the following parts only:

§102-80.1. Tree removal.

~~(The following provisions shall apply to the initial construction of a development and not to individual landowners once a certificate of occupancy is issued.)~~

A. No application for site plan or subdivision approval may be submitted to the approving authority on any lands where site clearing or clear cutting of trees occurred within five years preceding the application.

B. No tree with a diameter equal to or greater than ~~10~~ 6 inches shall be removed as part of a subdivision or site plan application without approval by the approving authority.

C. Any application proposing the removal, disturbance, replacement or protection of trees shall be reviewed in accordance with the requirements of Chapter 219, Tree Removal and Replacement. The approving authority shall apply and enforce the standards of Chapter 219 and shall not grant approval unless the applicant demonstrates compliance with all applicable provisions thereof. ~~In subdivision applications, trees with a DBH equal to or greater than 10 inches shall be saved within the minimum required principal building side and rear setback on each individual lot. This requirement does not include the enhanced side and rear setbacks associated with the ninety-foot rule (§ 102-87, Note 1). It is also encouraged, but not required, to save trees within the minimum required principal building front setback.~~

D. Replacement trees required by Chapter 219 Tree Removal and Replacement of the Code of the Township of Colts Neck shall be in addition to any other landscaping required by the Development Regulations. ~~In site plan applications, trees with a DBH equal to or greater than 10 inches shall be saved within the minimum required principal building side and rear setback. It is encouraged, but not required, to save trees within the minimum principal building front setback.~~

~~E. The approving authority may grant a waiver to allow trees with a DBH equal to or greater than 10 inches to be removed in the principal building side and rear setbacks in site plan and subdivision applications where such removal is necessary.~~

~~F. Where tree removal is allowed in Subsection E above, the applicant shall mitigate each tree removed by planting two replacement trees of species determined by the approving authority of not less than three inches in caliber within the subdivision or site plan. Replacement trees required by this section shall be in addition to any other landscaping required by the Development Regulations.~~

~~G.~~ E. Tree protection.

(1) Prior to any construction or land disturbance, all trees designated to be removed must be flagged and clearing areas delineated by protective snow fencing.

(2) Tree protection snow fencing or other protective barrier acceptable to the approving authority shall be placed in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey (latest edition).

(3) Tree protection snow fencing or other protective barrier shall remain in place until all construction activities are terminated.

(4) No soil stockpiling, storage of materials, equipment, or vehicles shall be permitted within the tree protection area of any tree to be saved.

SECTION V: That the Code of the Township of Colts Neck is hereby amended and supplemented to add new Chapter 219 titled "Tree Removal and Replacement", as follows:

§219 Tree Removal and Replacement

§219-1 Purpose and applicability

Consistent with the requirements of the New Jersey Department of Environmental Protection, the purpose of this section is to establish requirements for tree removal and replacement within the Township of Colts Neck ("Township") to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

§219-2 Definitions; word usage.

For the purpose of this section, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this section clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The use of the word "shall" means the requirement is always mandatory and not merely suggested.

APPLICANT

Means any "person," defined below, who applies for approval to remove trees regulated under this section.

CRITICAL ROOT RADIUS (CRR)

Means the zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet. For example: a tree with a 6" DBH would have a CRR = 6"x1.5' = 9'.

DIAMETER AT BREAST HEIGHT (DBH)

Means the diameter of the trunk of a mature tree generally measured at a point 4 1/2 feet above ground level from the uphill side of the tree. For species of trees where the main trunk divides below the 4 1/2 foot height, the DBH shall be measured at the highest point before any division.

HAZARD TREE

Means a tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees. The Township of Colts Neck may require a licensed tree expert to make all hazard tree determinations.

a. Has an infectious disease or insect infestation;

b. Is dead or dying;

c. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;

d. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or

e. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or licensed tree expert.

PERSON

Means any individual, resident, corporation, utility, company, partnership, firm, developer, or association.

PLANTING STRIP

Means the part of a street right-of-way between the public right-of-way and the portion of the street reserved for vehicular traffic or between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.

RESIDENT

Means an individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this section is removed or proposed to be removed.

STREET TREE

Means a tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to (or specified distance from) the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.

TREE

Means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

TREE CALIPER

Means the diameter of the trunk of a young tree, measured six inches from the soil line. For young trees whose caliper exceeds four inches, the measurement is taken 12 inches above the soil line.

TREE REMOVAL

Means to kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

§219-3 Regulated activities

A. Any person planning to remove or replace a street tree, as defined as tree removal, with a DBH of 2.5" or more or any non-street tree with DBH of 6" or greater on their property shall submit a Tree Removal Application to the Zoning Officer. No tree, regardless of size, shall be removed or replaced until the administrative officer (Zoning Officer) has reviewed and approved the removal. A Tree Preservation and Removal Plan and/or Tree Replacement Plan shall be submitted to determine number, sizes, and exemptions of trees included in the application.

B. Application fee shall be as follows:

(1.) Removal or replacement of five or less trees: $50.

(2.) Removal or replacement of six to 10 trees: $75.

(3.) Removal or replacement of 11 to 15 trees: $100.

(4.) Removal or replacement of 16 or more trees: $175.

C. If, in the event, the administrative officer (Zoning Officer) determines that the application is to be forwarded to the Township Engineer for review, an escrow fee in the amount of $750 shall be required to be made at the time of application. Any time the escrow drops below $150, the escrow shall be restored to 100% of the amount originally deposited by the applicant.

(1) Escrow account deposits are required to pay for the costs of professional services, including engineering, planning, legal and other third-party professional consulting expenses connected with the review of submitted material. All escrow account deposits shall be placed in an account designated by the Township's Chief Financial Officer, and an accounting shall be kept of each applicant's deposit.

(2) All third-party professional or consultant fees, costs, expenses, and charges shall be paid from the escrow account and charged to the applicant.

(3) Any monies not expended for third-party professional or consulting services shall be returned to the applicant within 90 days upon written request by the applicant and as authorized by the Township Committee.

(4) All payments charged to the escrow deposit shall be pursuant to vouchers from the third-party professionals or consultants stating the hours spent, the hourly rate, and the fees, costs, expenses, and charges incurred.

(5) Third-party professionals and consultants submitting charges pursuant to this section shall be permitted to charge for such services at the same rates as they would charge their private clients for like or similar work, provided that:

a. Professional fees are billed at rates that do not exceed such professional fees as are customarily charged by other like professionals and consultants performing similar work within the Township of Colts Neck; and
b. Out-of-pocket costs, expenses and charges are billed on a dollar-for-dollar basis with no markup being permitted.

(6) The Township shall render a written final accounting to the applicant on the uses to which the escrow deposit was put. The written final accounting shall include copies of all vouchers that were submitted by third-party professionals and consultants and paid by the Township.

§219-4. Tree removal and preservation plan.

Two copies of a Tree Removal and Preservation Plan shall be submitted to the Township Zoning Officer with the Tree Removal Permit Application. Applications requiring Planning Board or Zoning Board approval shall have a Tree Preservation and Removal Plan as part of the submittal to the Board and that Board shall be the approving authority and permission to remove or replant trees pursuant to this Chapter shall be granted in conjunction with subdivision and/or site plan approval. Tree Removal and Preservation Plans shall contain the following:

A. Two copies of a survey drawn to scale showing the current condition of the property, identifying the following:

1. The Block and Lot of the property.

2. All existing or proposed site improvements, including buildings, driveways, parking areas, pool, sheds, patios, etc. The survey may be older than 5 years as long as it accurately depicts all existing site improvements.

3. Location of all trees with a corresponding list including tree species, DBH and condition. Trees to remain and trees designated for removal shall be identified separately. For removal of five or less trees on existing residential property, tree locations may be hand drawn on the survey. For new residential development on vacant land or removal of 6 or more trees on a residential property, all street trees with a DBH of 2.5" or more and all trees with a DBH of six inches or greater, within the limit of disturbance, shall be located on a survey prepared by a licensed land surveyor, including tree species, DBH and condition.

4. Applications involving a major development pursuant to Chapter 102-46.4, Stormwater Management, shall submit a grading and drainage plan prepared by a licensed engineer or other qualified professional for the Township Engineer's review and approval.

5. Delineated freshwater wetlands, 300 foot or 150 foot riparian buffers and 100 year floodplain, if applicable.

6. Easements, if applicable.

7. Wooded areas, if applicable.

B. Proposed tree preservation limits and protective fencing location to be installed a minimum of 10 feet beyond the dripline of trees to be saved during removals. Tree protection fencing shall be installed prior to removals and removed after work has been completed.

C. New Residential Development:

Location of the proposed building foundation, driveway, septic area and roadway. Tree protection fencing location, notations and details shall be shown on the Grading Plan. Tree protection fencing notation shall state that "All existing trees and shrubs to be preserved on site shall be protected against construction damage by tree protection fencing, installed prior to any site disturbance and remaining in good condition throughout all phases of construction. All fencing shall be placed a minimum of 10 feet outside the dripline of the individual trees to be preserved."

§219-5. Tree replacement plan.

A. Existing Development:

Two copies of a Tree Replacement Plan shall be submitted to the administrative officer (Zoning Officer) with the Tree Removal Permit Application if the applicant proposes to remove trees located greater than 20 feet from the foundation of an existing residential dwelling, greater than 10 feet from the foundation of an accessory structure or septic field located on an existing residential property or greater than 20 feet from the foundation of a commercial building.

B. New Development:

Two copies of a Tree Replacement Plan shall be submitted to the administrative officer (Zoning Officer) with the Tree Removal Permit Application if the applicant proposes to remove trees located greater than 20 feet from the foundation of a proposed residential dwelling or beyond the limits of the driveway and/or septic system.

C. The Tree Replacement Plan shall contain the following:

Two copies of a survey showing the current condition of the property, identifying the following:

1. Block and Lot number.

2. All existing or proposed site improvements including buildings, driveways, parking areas, pools, sheds patios, etc. The survey may be older than 5 years as long as it accurately depicts all existing site improvements.

3. Proposed location of replacement trees in accordance with subsection 219.6 with a corresponding list including tree species and caliper. See Attachment No. 1 for a list of invasive tree species not permitted to be used as replacement trees.

4. Applications involving a major development pursuant to Chapter 102-46.4, Stormwater Management, shall submit a grading and drainage plan prepared by a licensed engineer or other qualified professional for the Township Engineer's review and approval.

5. Delineated freshwater wetlands, 300 foot or 150 foot riparian buffers and 100 year floodplain, if applicable.

6. Easements, if applicable.

7. Wooded areas, if applicable

§219-6. Tree Replacement Requirement.

A. Any person who removes one or more street tree(s) with a DBH of 2.5" or more and/or tree(s) with a DBH of 6" or greater, unless exempt under subsection 219-9, shall be subject to the requirements of the Tree Replacement Requirements Table below.

B. The species type and diversity of replacement trees shall not include any replacement species listed in Attachment No. 1.

C. Replacement tree(s) shall:

1. Be replaced in kind with a tree that has an equal or greater DBH than tree removed or meet the Tree Replacement Criteria in the table below;

2. Be planted within one month of the date of removal of the original tree(s) or at an alternative date specified by the administrative officer;

3. Be monitored by the applicant for a period of two years to ensure their survival and shall be replaced as needed within 12 months; and

4. Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.

5. Replacement Alternative: If the township/resident determines that some or all required replacement trees cannot be planted on the property where tree removal activity occurred, then the applicant shall pay the below non-refundable fee per tree removed. This fee shall be placed in a fund dedicated to tree planting and continued maintenance of trees.

6. The Township/residents have flexibility to mix and match between tree replacement or pay the non-refundable tree replacement fee. For example, if a resident is required to replace three trees, the township/resident may choose to plant two trees and pay for one.

Tree Replacement Requirements Table:

Category	Tree Removed (DBH)	Tree Replacement Criteria (See Appendix A)	Replacement Fee Dollar Amount
1	DBH of 2.5" (for street trees) or DBH of 6" (for non-street trees) to 12.99"	Replant 1 tree with a minimum tree caliper of 2.5" for each tree removed	$240

Tree Replacement Requirements Table:

Category	Tree Removed (DBH)	Tree Replacement Criteria (See Appendix A)	Replacement Fee Dollar Amount
2	DBH of 13" to 22.99"	Replant 2 trees with minimum tree calipers of 2.5" for each tree removed	$420
3	DBH of 23" to 32.99"	Replant 3 trees with minimum tree calipers of 2.5" for each tree removed	$720
4	DBH of 33" or greater	Replant 4 trees with minimum tree calipers of 2.5" for each tree removed	$1,000

§219-7. Criterial for issuance of permit.

A. Upon completion of the administrative officer's field inspection report and review of any requested recommendations, the administrative officer shall approve a permit if:

1. The Tree Removal Permit Application is compliant with Colts Neck Township Code subsection **219-3** and **219-9.**

2. The Tree Removal and Preservation Plan is compliant with Colts Neck Township Code subsection **219-4**;

3. The Tree Replacement Plan is compliant with Colts Neck Township Code subsection **219-5** and **219-6**;

4. Tree Removal Permit Applications which involve tree(s) located in a riparian buffer pursuant to N.J.A.C. 7:13 Flood Hazard Area Control Act may only be approved after application and approval by the New Jersey Department of Environmental Protection.

5. None of the conditions set forth below in paragraph B exists;

B. The Zoning Officer may deny a Tree Removal Permit for the following reasons:

1. The tree(s) located in a conservation, landscape and/or scenic corridor easement.

2. The removal of the tree(s) will contribute to extra runoff or surface water onto adjacent properties.

3. The removal of the tree will contribute to erosion or silting of adjacent properties.

§219-8. Term of permit.

Any and all permits approved by the administrative officer shall be declared null and void if the tree removal and/or replacement is not completed within 12 months after permit issuance. In no case will the permit be valid for more than 12 months. Permits not used within this period will require a new application and the payment of new fees. For purposes of this section, a permit shall no longer be valid when the work authorized by the permit is completed.

§219-9. Exceptions

A. Residents who remove three (3) or less trees per acre that fall into category 1, 2, or 3 of the Tree Replacement Requirements Table within a five-year period. [The number of trees removed is a rolling count across a five-year period. For example, if 3 trees from category 1 are removed in July 2023, the 'count' resets to zero in July 2028. However, if 1 tree from category 1 is removed in July 2023 and another in July of 2025 the first tree will come off the count in July 2028 and the second in July 2030.]

B. Tree farms in active operation, nurseries, fruit orchards, and garden centers;

C. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the municipality;

D. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.

E. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;

F. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;

G. Hazard trees as verified by a New Jersey Licensed Tree Expert or Professional Forester at the applicant's expense. If the tree condition is verified as described may be removed with no replacement requirement.

H. The following exceptions from the Tree Removal Ordinance shall apply to farms:

1. Farms are exempt from the permitting process of this Tree Removal Ordinance in the following circumstances by signing a Tree Removal Certification For Farms:

   a. Clearing that increases the farm's production area.

   b. Maintaining the existing, established agricultural modified wetlands.

2. Farms are required to comply with the Tree Removal Ordinance only if:

   a. Proposing clearing of new areas of the farm that are in proximity of the following: steep slopes; freshwater wetlands buffers; riparian zone or easements which specifically prohibit clearing of trees; and/or property pending Board approval.

   b. Proposed clearing for residential or personal development of the farm.

I. Any Tree located within 20 feet of the foundation of an existing or proposed residential dwelling unit or within 10 feet from the foundation of an existing or proposed accessory structure, septic system or principal driveway servicing the residential dwelling.

J. The tree is dead, diseased, hazardous or damaged by storm or accident as verified by a New Jersey Licensed Tree Expert or Professional Forester at the applicant's expense. If the tree condition is verified as described.

K. Any tree growing in a utility right-of-way subject to notification of the Township. The Tree Removal Application fee shall be waived for the utility company.

§219-8. Emergencies.

In the event of an emergency where immediate tree removal is necessary to protect public health, safety, or property, any person otherwise subject to this section may, without first applying for and obtaining a permit, take any lawful action which is otherwise regulated activity to cure, remedy, or mitigate the dangerous or hazardous condition resulting from the emergency. This exemption applies to trees that have been severely damaged or rendered hazardous by storms, high winds, lightning, flooding, or other natural disasters, as well as trees that post a sudden and imminent risk of falling and causing damage to persons, vehicles, structures, or utilities.

Such person(s) shall apply for a Tree Removal Permit not later than the end of the second succeeding business day after any regulated activity takes place and may not proceed with non-emergency work including restoration, until a permit is obtained.

§219-9. Enforcement.

This section shall be enforced by the Code Enforcement Officer and/or Zoning Officer during the course of ordinary enforcement duties.

§219-10. Violations and penalties.

Any person(s) who is found to be in violation of the provisions of this section shall be subject to a fine of $500 per tree to be established by the Township but shall not be less than the amount of the required replacement tree(s) and cost of planting. The Township may require the planting of additional trees in addition to the fine.

Attachment No. 1

List of Invasive Tree Species Not Permitted to be used as Replacement Trees for Colts Neck Township

The guidelines for selecting replacement trees are to provide a variety of indigenous trees that are appropriate for the landscape they are being placed in.

List of indigenous trees can be found at:

The Native Plant Society of New Jersey: https://npsnj.org/

New Jersey Agricultural Experiment Station: https://sebs.rutgers.edu/njaes

Rutgers Cooperative Extension Fact Sheet FS1140: https://njaes.rutgers.edu/FS1140/

Invasive species can be found at the following URL and in the following list:

https://dep.nj.gov/invasive-species/plants/

Common Name	Latin Name	References
Amur corktree	Phellodendron amurense	NJ Invasive Species Strike Team DO NOT PLANT LIST 2023
Amur maple	Acer ginnala	NJ Invasive Species Strike Team DO NOT PLANT LIST 2023
bamboo*	multiple	rutgers-lib-38457_PDF-1.pdf
birchleaf pear	Pyrus betulifolia	NJ Invasive Species Strike Team DO NOT PLANT LIST 2023
Black ash	Fraxinus nigra Marsh	Avoid due to Emerald Ash Borer
Black locust	Robinia pseudoacacia L.	Appendix to Policy Directive 2004-02 Invasive Nonindigenous Plant Species
Callery pear (Bradford pear)	Pyrus calleryana	NJ Invasive Species Strike Team DO NOT PLANT LIST 2023
Castor aralia	Kalopanax septemlobus	NJ Invasive Species Strike Team DO NOT PLANT LIST 2023
Catalpa	Catalpa bignonioides Walter.	Appendix to Policy Directive 2004-02 Invasive Nonindigenous Plant Species
Chinese elm	Ulmus parvifolia	NJ Invasive Species Strike Team DO NOT PLANT LIST 2023
Chinese mulberry	Morus australis	NJ Invasive Species Strike Team DO NOT PLANT LIST 2023
Chinese willow	Salix Matsudana	NJ Invasive Species Strike Team DO NOT PLANT LIST 2023
Chocolate vine	Akebia quinata	NJ Invasive Species Strike Team DO NOT PLANT LIST 2023
Crack willow	Salix fragilis L.	Appendix to Policy Directive 2004-02 Invasive Nonindigenous Plant Species
Devil's walking stick	Aralia spinosa L.	Appendix to Policy Directive 2004-02 Invasive Nonindigenous Plant Species
Empress tree	Paulownia tomentosa (Thunb.) Steudel.	Appendix to Policy Directive 2004-02 Invasive Nonindigenous Plant Species
English elm	Ulmus procera	NJ Invasive Species Strike Team DO NOT PLANT LIST 2023

European black alder	Alnus glutinosa	NJ Invasive Species Strike Team DO NOT PLANT LIST 2023
Golden raintree	Koelreuteria elegans	NJ Invasive Species Strike Team DO NOT PLANT LIST 2023
gray poplar	Populus x canescens	NJ Invasive Species Strike Team DO NOT PLANT LIST 2023
Green ash	Fraxinus pennsylvanica Marsh	Avoid due to Emerald Ash Borer
Japanese angelica tree	Aralia elata	NJ Invasive Species Strike Team DO NOT PLANT LIST 2023
Japanese cork tree	Phellodendron japonicum Maxim.	Appendix to Policy Directive 2004-02 Invasive Nonindigenous Plant Species
Japanese crabapple	Malus toringo	New Jersey Invasive Species Strike Team DO NOT PLANT LIST 2023
Japanese maple	Acer palmatum	New Jersey Invasive Species Strike Team DO NOT PLANT LIST 2023
Japanese zelkova	Zelkova serrata	New Jersey Invasive Species Strike Team DO NOT PLANT LIST 2023
Kobus magnolia	Magnolia Kobus	New Jersey Invasive Species Strike Team DO NOT PLANT LIST 2023
Kousa dogwood	Cornus kousa	New Jersey Invasive Species Strike Team DO NOT PLANT LIST 2023
Mimosa	Albizia julibrissin	New Jersey Invasive Species Strike Team DO NOT PLANT LIST 2023
Paper mulberry	Broussonetia papyrifera	New Jersey Invasive Species Strike Team DO NOT PLANT LIST 2023
Princesstree	Paulownia tomentosa	New Jersey Invasive Species Strike Team DO NOT PLANT LIST 2023
Russian olive	Elaegnus angustifolia	New Jersey Invasive Species Strike Team DO NOT PLANT LIST 2023
Scotch pine	Pinus sylvestris L.	Appendix to Policy Directive 2004-02 Invasive Nonindigenous Plant Species
Siberian elm	Ulmus pumila	New Jersey Invasive Species Strike Team DO NOT PLANT LIST 2023
Sweet cherry	Prunus avium	New Jersey Invasive Species Strike Team DO NOT PLANT LIST 2023
Tree-of-heaven	Ailanthus altissima	New Jersey Invasive Species Strike Team DO NOT PLANT LIST 2023
Umbrella tree	Magnolia tripetala (L.) L.	Appendix to Policy Directive 2004-02 Invasive Nonindigenous Plant Species
Weeping Higan cherry	Prunus subhirtella var. pendula	New Jersey Invasive Species Strike Team DO NOT PLANT LIST 2023
White ash	Fraxinus americana	Avoid due to Emerald Ash Borer.
White mulberry	Morus alba L.	Appendix to Policy Directive 2004-02 Invasive Nonindigenous Plant Species
White poplar	Populus alba	New Jersey Invasive Species Strike Team DO NOT PLANT LIST 2023
White willow	Salix alba L.	Appendix to Policy Directive 2004-02 Invasive Nonindigenous Plant Species
Yellow buckeye	Aesculus flava Ait.	Appendix to Policy Directive 2004-02 Invasive Nonindigenous Plant Species
*Scientifically a grass		
Note: NJ Invasive Species Strike Team DO NOT PLANT LIST updates annually, please see https://fohvos.org/invasive-species-strike-team/info-center/		

SECTION VI: Severability.

If any section, paragraph subsection, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainer of this ordinance shall be deemed valid and effective.

SECTION VII: Repealer.

The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this ordinance shall remain in full force and effect.

SECTION VIII: Inconsistent Ordinance.

All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

SECTION IX: This ordinance shall take effect immediately upon passage, publication and filing according to law.

The foregoing Ordinance was introduced and passed on the first reading at the meeting of the Township Committee of Colts Neck Township on the September 30, 2026 and will be considered for final passage and adoption on October 14, 2026, 6:30 p.m. Town Hall, 1 Veterans Way at which time and place a public hearing will be held for all persons desiring to be heard thereon will be given full opportunity.

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Kathleen Capristo, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	September 30, 2026					October 14, 2026				
	M	S	Yes	No	NV	Ab	M	S	Yes	No	NV	Ab
Mayor Viola												
Deputy Mayor Buzzetta												
Rizzuto												
Torchia Buss												
Tobia												

M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent