

**TOWNSHIP OF KNOWLTON
WARREN COUNTY, NEW JERSEY**

RESOLUTION #2026 -30

RESOLUTION ESTABLISHING POLCY FOR THE REMOVAL OF TREES WITHIN THE RIGHT-OF-WAY

WHEREAS, the Township receives many requests from residents to prune or remove allegedly hazardous trees; and

WHEREAS, under New Jersey law, the ownership of a tree is determined by the trunk location and

WHEREAS, trees that are in the right-of-way easement of Township roads are generally still the responsibility of the property owner, not the Township; and

WHEREAS, the term "right-of-way easement" is meant to refer to the strip of land along and including a Township roadway that permits by easement the public use of the roadway and sidewalks and expansion thereof; and

WHEREAS, where roadways are established by a "right of way" easement, the adjacent property owner retains ownership of the underlying property and such property line extends into the paved roadway; and

WHEREAS, where roadways and the associated right-of-way are established by fee simple ownership, the property owner does not retain ownership of the underlying property and such property line may run to the edge of the paved roadway or some place near the edge of the paved roadway; and

WHEREAS, trees within a right-of-way easement are the responsibility of the underlying property owner; and

WHEREAS, trees within a right-of-way owned in fee simple by the Township are the responsibility of the Township; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Knowlton, County of Warren, State of New Jersey, as follows:

1. The Township is not responsible for the removal of hazardous trees within a County or State right-of-way.
2. The Township is not responsible for the removal or maintenance of hazardous trees within a right-of-way easement.
3. The Township is only responsible for the removal or maintenance of hazardous trees within a right-of-way owned in fee simple by the Township.

4. Where the location or ownership of a tree is disputed and a property owner is requesting removal of or maintenance of said tree, it shall be the obligation of the property owner to provide a survey establishing ownership of the tree.
5. The Township reserves the right to maintain or remove trees that pose an imminent hazard to motorists or pedestrians. In the event the Township removes a tree within a right-of-way easement, the Township is not responsible for removing the stump.

Date: February 9, 2026

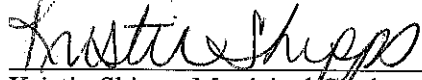
Motion: Shipps

Second: Mazza

Roll Call: Baley—yes, Lembeck—absent , Mazza—yes, Starrs—yes, Shipps—yes

CERTIFICATION:

I hereby certify the foregoing to be a true copy of a resolution adopted by the Township Committee of the Township of Knowlton, Warren County, State of New Jersey at a meeting held on February 9, 2026.


Kristin Shipps, Municipal Clerk