

**TOWNSHIP OF HOPEWELL
MERCER COUNTY, NEW JERSEY**

ORDINANCE NO. 26-1873

**AN ORDINANCE AMENDING CHAPTER 17 "LAND USE" OF THE CODE OF THE
TOWNSHIP OF HOPEWELL TO ESTABLISH REQUIREMENTS FOR NATIVE
PLANT SPECIES IN LANDSCAPING PLANS**

WHEREAS, the Township Committee of the Township of Hopewell recognizes that native plants are essential to the health of the local ecosystem, providing necessary habitat and food for indigenous wildlife; and

WHEREAS, the introduction of invasive and non-native species can cause significant harm to the local environment and economy; and

WHEREAS, it is in the best interest of the Township to ensure that landscaping plans prioritize genetically pure native species over modified cultivars to maintain ecological integrity;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hopewell, in the County of Mercer, New Jersey, as follows:

SECTION I. Definitions

Chapter 17, Section 17-4 is hereby amended to include the following terms :

1. **Scientific Name:** Binomial nomenclature; the taxonomic name of an organism consisting of the genus and species.
2. **Common Name:** The familiar, non-scientific name for a species of plant or animal which is widely used.
3. **Straight Species:** A plant found in the wild that has not been modified by any means to produce specific ornamental traits.
4. **Cultivar:** A subspecies classification produced in cultivation by selective breeding, including those designated as "nativars". Cultivars must be indicated with a modifier term encapsulating in single quotes after the scientific name of the straight species (e.g., "*Acer negundo* 'Flamingo'").
5. **Variety:** A plant variation that often occurs in nature and is most often "true to type," meaning seedlings grown from a variety will retain the parent plant's unique characteristics.
6. **Hybrid:** The offspring of two different species or varieties.
7. **Native Plant:** Indigenous terrestrial and aquatic species that have evolved and occur naturally in a particular region, ecosystem, and habitat.
8. **Non-Native Plant:** Species that have not existed historically in an area but were introduced via human activities, including genetically modified species or subspecies.
9. **Invasive Plant:** A species non-native to the New Jersey ecosystem whose introduction causes or is likely to cause harm to the economy, environment, or human health.

SECTION II. Native Plant Requirements

Section 17-89 is hereby amended to include the following requirements for approved native vascular plants:

1. **Approved List:** A list of additional approved native vascular plants, as referenced from the Native Plant Society of New Jersey for Mercer County, as of October 25, 2024, is hereby adopted. Qualification as an approved plant shall be determined by the exact formal scientific name of the plant indicating the genetically pure species.
2. **Compliance:** Landscaping plans specifying plants whose scientific names do not exactly match the scientific name of this approved list are not approved for inclusion in landscaping plans.
3. **Prohibitions:** Genetically modified variants, cultivars (including nativars) or other forms of subspecies classification are not permitted and shall require review and exception approval by the Environmental Commission.
4. **Specifications:** Landscaping plans must specify the full scientific names of all proposed plants and must fully specify the modifying term for any genetically modified variant, cultivar, or other form of subspecies classification.

SECTION III. Exception Review and Approval

A new Section §17-89.2 "Exception Review and Approval of Non-Native Plants" is hereby established as follows:

§ 17-89.2 Exception Review and Approval of Non-Native Plants

- a. All applications to the zoning board of adjustment, planning board, stream corridor permits, or any agenda item that comes before the Environmental Commission that propose any landscaping must include landscape plans with a plant inventory, proposed locations and quantities of proposed plants and specify each proposed plant by scientific name for review by the environmental commission.
- b. Any proposed landscaping plan including plants not found on either the approved woody plants or approved native vascular plants specified in § 17-89 shall require exception approval by the environmental commission before any planting is undertaken, provided that if the approving authority has considered an application for development involving landscaping, an exception may not be sought for five years after the date of completion of the development.
- c. Noncompliance will result with the removal of the unapproved specie(s) to be replaced with an approved species at the cost of the responsible party within one month.
- d. Scientific names do occasionally change. Therefore, if the Environmental Commission finds that there was a reclassification and it is different from the name on the current accepted plant list, the Environmental Commission reserves the right to use the more updated scientific name and updated native range of that species to determine if the plant is an acceptable New Jersey native species.

SECTION V. Severability, Repealer, and Effective Date

1. **Severability:** If any section or provision of this ordinance is deemed invalid, such decision shall not affect the validity of the remaining portions.
2. **Repealer:** All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.
3. **Effective Date:** This ordinance shall take effect following final passage and publication as required by law.

The list of native plant species is on file in the Clerk's Office and can be found [here](#)

Date Introduced: April 20, 2026

Date Advertised: April 21, 2026

Date Adopted: May 4, 2026

David Chait, Mayor

Attest:

Katherine Fenton-Newman
Municipal Clerk