

Title 16

WEEDS

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Chapter 16-1

Nuisance Weeds

Sections:

16-1-1 Nuisance weeds.

16-1-2 Noxious weeds.

16-1-3 Removal of weeds; Duty of property

16-1-4 Owner, Removal by Town.

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16-1-7 Disposition of Monies Received by Town

16-1-8 Penalties

16-1-1 Nuisance weeds: All weeds, uncontrolled grass, and other unattended vegetation growing to a height in excess of eight (8) inches on premises located within the town are declared to be nuisance weeds, pursuant to Montana Code Ann. 37-22-4101.

16-1-2 Noxious weeds: All exotic plant species established or that may be introduced in the state that may render land unfit for agriculture, forestry, livestock, wildlife, or other beneficial uses that may harm native plant communities are considered noxious weeds. Pursuant to Montana Code Ann. 37-22-2101 through 37-22-2103, the State of Montana Department of Agriculture and the Mineral County Weed Management District, may classify which plant species are considered noxious weeds. Mineral County, through its Weed Management District, has exclusive jurisdiction regarding the control of noxious weeds. Noxious weeds in Mineral County include the following:

Category One Noxious Weeds:

- (A) Canada Thistle
- (B) Field Bindweed
- (C) White Top
- (D) Leafy Spurge
- (E) Russian Knapweed
- (F) Spotted Knapweed
- (G) Diffuse Knapweed
- (H) Dalmatian Toadflax
- (I) Yellow Toadflax
- (J) St. Johnswort
- (K) Sulfer Cinquefoil
- (L) Hounds tongue

Category Two Noxious Weeds:

- (M) Common Tansy
- (N) Oxeye Daisy
- Dyers Woad
- (B) Purple Loosestrife
- (C) Tansy Ragwort
- (D) Meadow Hawkweed complex
- (E) Orange Hawkweed
- (F) Saltceder
- (G) Tall Buttercup
- (H) Perennial Pepperweed

Category Three Noxious Weeds:

- (A) Rush Skeletonweed
- (B) Yellow Starthistle
- (C) Common Crupina
- (D) Yellowflag Iris
- (E) Eurasian Watermilfoil
- (F) Blue Weed

Pursuant to the Mineral County Weed Management Program, private landowners may receive assistance from the County to control noxious weeds.

16-1-3 Removal of weeds: Duty of Property Owner, Removal by Town. The owner, his representative, contract purchaser, or any occupant of real property within the town shall once, prior to July 1 of each calendar year, cut and remove weeds and grass growing thereon or adjacent thereto on streets or alleys; and in case of failure to do so shall be subject to the punishment hereinafter provided for. The Town may cause such vegetation to be cut and removed and the expense incurred shall be charged against the owner, his representative, contract purchaser, or occupant of the real property. It shall be the duty of such persons to maintain their property so that it shall not be considered a fire hazard, or a public or private nuisance.

16-1-4 State of Charges to Offender: In the event the owner, representative of the owner, contract purchaser, or occupant of any property required by section above to cut and remove weeds and grass fails to do so, and in the event the Town causes such vegetation to be cut and removed, the Town Maintenance supervisor shall file with the Town Clerk an itemized copy of the statement to be sent to the offender, based upon charges as set forth in section and the Town Clerk shall cause a copy of such statement to be sent to such person by ordinary mail, together with a notice that such statement is due and owing for the removal of vegetation upon the property.

16-1-5 Charges for Removal by Town: A fee of Twenty Dollars (\$20.00) per hour or thirty dollars (\$30.00) minimum per lot shall be charged for weed and grass cutting work performed by the Town Maintenance Department.

16-1-6 Disposition of Monies Received by Town: All money received for payment to the Town by the owner, representative, contract purchaser, or occupant of the property as called for under section , except fines imposed under section 16-1-5 for weed and grass cutting work performed by the Town Maintenance Department, shall go directly into the General Fund.

16-1-7 Penalties: Any person violating any of the provisions of this chapter shall, upon conviction thereof, be punishable as provided in Section 1-7 General Penalty of Town's codes.

PASSED AND ADOPTED by the Town Council of the Town of Alberton, Montana, on the 7th day of January 2005, and approved by the Mayor thereof on the same day.