

V. Non-Compliance and Enforcement Policy and Procedures

Broadwater County recognizes the Montana State Weed Law and is committed to the effective management and eradication of state and county declared noxious weeds. The county assists landowners in understanding their responsibility for controlling noxious weeds. The county continues to upgrade programs to manage weed challenges on the county, state, and federal lands.

Weed Law Compliance

A person is considered “in compliance” when a Broadwater County Noxious Weed Management and Revegetation Plan form is completed and submitted by the landowner or landowner’s agent and approved by the Weed District – see **Appendix C**.

1. Landowners with 40 acres or less will be required to comply with complete control. The cost of a typical chemical application on 20 acres would be approximately \$ 800.00.
2. Landowners owning more than 40 acres, if unable to manage complete control, shall be required to maintain weed control on one-third of the property, in rotation each year over three years. For instance, a typical chemical application for a 160-acre parcel would cost approximately \$2,500 per year. NOTE: Control is expected to occur annually along all property borders.

Weed Law Enforcement

Broadwater County strives to help educate landowners on good land stewardship and noxious weed awareness. We must convey and communicate a positive government image in a non-threatening manner. Each landowner is unique, and opinions often differ regarding weed control. Most landowners are receptive to the law, understand its importance, and willingly commit to some form of annual weed control. Enforcement of the Montana County Noxious Weed Control Act, 7-22-2101 through 7-22-2154, and Administrative Rule of Montana 4.5.201 occurs as necessary. A complaint can be made in person to Broadwater County Weed District Staff and the presence of noxious weeds will be verified by our staff. When a justifiable complainant is made; procedures outlined in MCA are conducted. If a property file and weed management plan exist a phone call to the landowner or the landowner’s agent prevents further action. If no property file or weed plan exist, a certified letter including a Broadwater County Noxious Weed Management and Revegetation Plan, a flow chart and an inspection report are sent to the landowner or the landowner’s agent explaining the situation and requesting a response within ten (10) days.

In response, landowners may call asking for advice or to schedule an appointment with the District Coordinator to meet with and survey the property more closely. Personal weed identification and selective weed management strategies have proven to be highly successful and well-received by the public. A final certified notice will be sent when no response is received. Thereafter; procedures are followed in District Court to enter upon a person’s land, spray the noxious weeds, and bill the landowner or the landowner’s agent.

Broadwater County will enforce the Montana County Noxious Weed Control Act 7-22-2101 through 7-22-2154, as well as Administrative Rule of Montana 4.5.201 to the best of its fiscal and budgetary ability. The weed law will be strictly followed when entry must be made onto private land to verify a noxious weed sighting or complaint. See **Appendix D** for example letters and flow charts.