

Enforcement Protocol

Documentation

- Complaint form filled out by public.
- Brief and specific summary of property and need for enforcement filled out by weed superintendent.
- Photo documentation of property and infestation, stored in appropriate folder in weeds drive.
- All letters, photos and complaint forms will be scanned and stored in the weed drive along with copies of relevant emails and text messages.

Communication

- A “nice letter” will be sent to the owner of the property with a deadline of ten days to contact the weed superintendent.
- After these ten days have passed an official enforcement letter will be sent via certified mail to the property owner.
- After receipt of letter the owner has five working days to initiate control and contact the weed superintendent.
- After five days the county has the legal authority to enter the property and treat the weeds.
- A bill for the services will be sent via certified mail. *See billing below.
- From the weed superintendents hand book,
“...and contact other counties to see how they approach enforcement. Many of them issue advisement letters (i.e. “nice” letters) to inform the landowner of the issue and recommend options. If that does not produce results, then they implement enforcement action. Fremont County has only sent one enforcement letter in the last 15 years, and they have been successful in obtaining compliance and have strong landowner support. Jefferson County issues two or three advisement letters before an enforcement letter is sent. Bonneville County used to send out hundreds of letters annually, but now use the “nice” letter approach.”

Enforcement and Enforcement Safety

- The weed supervisor will provide photo documentation of the property before and after the treatment of the property. If herbicide is use, the property will be flagged with markers for safety.
- At minimum, the sheriff’s department should be notified before entering a property. The best practice would be for a law enforcement officer to be present while the treatment is being performed.

Billing

From the weeds superintendent handbook,

“We have been charging a \$150 administrative fee, plus \$95/hour labor, plus cost of chemical. I do not know how this compares to local company’s fees, so that may be something to look into. In my opinion, enforcement of weeds should not be cheaper than hiring someone, and it should be painful enough that it discourages further non-compliance without being unreasonable. If the landowner fails to pay the bill within 60 days (or file a protest with the ISDA director within 30 days) the outstanding bill can then become a lien on the property; a template is available in the “W:\Enforcement\Forms” folder. Ask the clerk’s office about the appropriate steps to take for issuing liens, since they must be signed by the Chair of the BoCC and notarized.”

Questions

-Should there be metrics on how to determine what an enforceable complaint is?

- From the weeds handbook “individual notices should be sent when the county “finds it necessary to secure more prompt or definite control of noxious weeds than is accomplished by the general notice.””

-Can public reports be made anonymously?

-Should we send more than one “nice letter”?

-I would like to start to utilize the “door hangers” that inform property owners of smaller weed issues. Am I legal allowed to access properties and place these hangers on door handles?

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8/05/24