

CHAPTER 20

NOXIOUS BUSHES AND WEEDS

**20.01 DEFINITIONS.**

Amended by L. 1947, c. 536, ss. 1, 2.

The commissioner may not contribute funds or assistance in the enforcement of the weed act, but he may employ personnel. 1944 OAG 18, May 27, 1943 (322-A-2).

**20.07 OCCUPANTS OR OWNERS OF LAND TO DESTROY NOXIOUS WEEDS.**

It rests with the commissioner and local weed inspector to determine the manner and method employed to make effective the control and eradication of noxious weeds, including quack grass, upon town roads. OAG June 24, 1947 (322-G).

**20.09 DESTRUCTION OF NOXIOUS WEEDS ON PUBLIC HIGHWAYS.**

It rests with the commissioner and local weed inspector to determine the manner and method employed to make effective the control and eradication of noxious weeds, including quack grass, upon town roads. OAG June 24, 1947 (322-G).

**20.11 INSPECTORS.**

County weed and seed inspectors appointed by the county board with approval of commissioner of agriculture, cannot receive payment out of funds of the department of agriculture. OAG May 3, 1945 (322-A-2).

Town supervisors may receive compensation for acting as weed inspectors, subject to the limitations of section 367.05. OAG Sept. 23, 1946 (322-a-2).

**20.12 DUTIES OF LOCAL WEED INSPECTORS.**

Amended by L. 1947, c. 536, s. 2.

Weed inspectors may burn straw upon owner's land, under such circumstances as a prudent farmer should do to protect his land from noxious weeds. OAG Oct. 19, 1944 (322g).

Weed assessments cannot be spread against tax-forfeited lands. OAG Oct. 10, 1945 (425-C-15).

A weed inspector may burn straw from a weed infested field in stack or on field when he determines it to be proper in protection of the owner or others in the neighborhood. OAG Sept. 21, 1945 (322-G).

The county board is authorized to pay the cost of publication of general notice for weed eradication and control. OAG June 3, 1947 (322-G).

**20.13 CUTTING WEEDS IN GROWING CROPS.**

Weed inspector may destroy without a hearing weeds and crop which cover less than three acres, but when greater area is involved a hearing must be had. OAG April 1, 1944 (322-G).

**20.15 NOTICES; SERVICE; EXPENSES OF DESTROYING WEEDS; LIEN.**

Town board may employ an attorney to make up notices to be served on land-owners and occupants. The attorney must be paid out of town funds as are salaries.

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No lien is in order, nor may the attorney file his claim with county officials. OAG Oct. 19, 1944 (322-G).

Where local weed inspector refuses to serve notice to destroy weeds on premises such notice may be served by the county weed and seed inspector, or by a person authorized by the commissioner, and the cost of destroying the weeds is chargeable to the county to the same extent as if the service had been made by the local inspector. OAG Jan. 22, 1947 (322-G).

The county board is authorized to pay the cost of publication of general notice for weed eradication and control. OAG June 3, 1947 (322-G).

## 20.28 VIOLATIONS; PENALTIES

Except where the chemical or method may endanger health or life, the weed inspector has power to designate and enforce the method of eradication which is to be used and comply with section 20.15. Decision as to danger of the use or method is a fact question. 1942 OAG 262, July 20, 1942 (322-G).