

Chapter 67 Brush, Grass And Weeds

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Chapter 67 Brush, Grass And Weeds

[HISTORY: Adopted by the Board of Supervisors of Clarke County as indicated in article histories. Amendments noted where applicable.]

General References

Chapter 124 Nuisances

Code Of Virginia References

§ 3.2. Agriculture, Animal Care, and Food Chapter 8. Noxious Weeds

§ 15.2-902. Authority of locality to control certain noxious weeds

Article I Control of Johnson Grass

[Adopted 1-19-1988 as Secs.10-86 through 10-92 of the 1987 Code]

§ 67-1. Statutory authority.

The provisions of this article are in accordance with the Code of Virginia, § 15.2-902.

§ 67-2. Nuisance declared.

The existence of growth of a species of grass, *Sorghum halepense*, commonly known as "Johnson grass," as well as other *Sorghum* species with perennial rhizomes (includes perennial sweet Sudan grass, *Sorghum alnum* and hybrids derived therefrom), is hereby declared to be a public nuisance in the county.

§ 67-3. Agreements.

The Board of Supervisors may enter into an agreement with the State Department of Agriculture and Consumer Services for the purpose of the control of Johnson grass within the county and may accept funds from the Department as agreed upon.

§ 67-4. Johnson Grass Control Committee.

There is hereby established a Johnson Grass Control Committee composed of eight members, each to be appointed by and to serve at the pleasure of the Board of Supervisors. Said Committee shall appoint all individuals responsible for a Johnson Grass Program and approve all expenditure of funds and administer the Johnson Grass Control Program.

§ 67-5. Duties of Committee.

The Johnson Grass Control Committee or its representatives:

- a) Shall conduct surveys to determine the location and amount of infestations of Johnson grass within the county.
- b) Shall provide the necessary technical and other assistance to landowners in a cooperative control or eradication program.
- c) May effect a program of spraying or other control practices on road rights-of-way, drainage ditch banks, parks, playgrounds, utility rights-of-way and other public or private lands.

§ 67-6. Duties of landowners.

It shall be unlawful for any person to knowingly allow Johnson grass to set seed on any land in the county. It shall be the duty of each landowner to mow, fallow, treat with herbicides or use such other practices as maybe approved by the Johnson Grass Control Committee as effective in preventing seed set on all Johnson grass or other perennial Sorghum species on his property. However, a landowner or lessee may enter into a written compliance agreement with the Johnson Grass Control Committee or its designee, specifying terms and conditions of a control program, and so long as all the terms and conditions are being complied with, there is no violation of this article.

§ 67-7. Importation.

It shall be unlawful to import Johnson grass into the county or to transport Johnson grass within the county in any form capable of growth or to knowingly contaminate any uninfested land with Johnson grass through the movement of rootstocks, plant parts, seed, soil, mulch, nursery stock, farm machinery or other media.

§67-8. Violations and penalties.

Penalties for violation of the provisions of this chapter shall be as provided in Chapter 1, General Provisions, Article I.