

Noxious Weed Policy

Polk County, MN

1. A person owning land, a person occupying land, or a person responsible for the maintenance of public land shall control or eradicate all noxious weeds on the land at a time and in a manner ordered by the county agricultural inspector or a local weed inspector. (M.S.A. § 18.78, Subd. 1).
2. Control or eradication may be accomplished by any lawful method(s), but the method(s) may need to be repeated in order to prevent the spread of viable noxious weed seeds and other propagating parts to other lands.
3. Polk County spraying trucks will only spray for noxious weeds along county and state roads right of way.
4. County agricultural inspectors and/or local weed inspectors may enter upon land without consent of the owner and without being subject to an action for trespass or any damages. (M.S.A. § 18.79, Subd. 3).
5. The supervisors of each town board and the mayor of each city shall act as local weed inspectors within their respective municipalities. (M.S.A. § 18.80, Subd. 2). They will examine all lands, including highways, roads, alleys, and public ground in the territory over which their jurisdiction extends to ascertain if the noxious weed laws have been complied with. (M.S.A. § 18.81, Subd. 2).
6. If a landowner, occupant, and/or land manager will not comply with eradicating or controlling the noxious weeds on their property, then the local weed inspector or the county agricultural inspector will send out an Individual Notice to Control or Eradicate Noxious Weeds to those not in compliance giving them 10 working days to comply. (M.S.A. § 18.83, Subd. 2).
7. No person may neglect, fail, or refuse to comply with a General Notice or an Individual Notice to control or eradicate noxious weeds. (M.S.A. § 18.86, Subd. 4).
8. If a person does not comply with an Individual Notice served on the person or an Individual Notice cannot be served, the local weed inspector or the agricultural inspector having jurisdiction shall have the noxious weeds controlled or eradicated within the time and in the manner the inspector designates. (M.S.A. § 18.83, Subd. 4).
9. The county auditor shall certify the total expense of controlling or eradicating noxious weeds, which may include the costs of serving notices and, unless an appeal is made, such costs will be entered on the tax roll as a tax upon the land and must be collected as other real estate taxes are collected. (M.S.A. § 18.83, Subd. 7).
10. On finding that a person has violated the noxious weed laws, the county agricultural inspector may start court proceedings in the locality in which the violation occurred. The county attorney may prosecute violations within his/her jurisdiction. (M.S.A. § 18.79, Subd. 10).