

**2011 REVISED
RULES AND REGULATIONS OF
THE SNOHOMISH COUNTY NOXIOUS WEED CONTROL BOARD**

SECTION I. NOXIOUS WEED CONTROL BOARD REGULATIONS

- A. **TITLE - the provisions contained herein shall be “Rules and Regulations of the Snohomish County Noxious Weed Control Board”. (Hereinafter called “Regulations”) and shall govern the control of “noxious weeds”, as defined in the county noxious weed list, within the boundaries of Snohomish County, Washington during each calendar year.**

SECTION II. MISSION STATEMENT - The mission of the Snohomish County Noxious Weed Control Board is to serve as responsible stewards of Snohomish County by protecting and preserving the land and resources from the degrading impact of noxious weeds.

SECTION III. DEFINITIONS The definitions of terms set forth in RCW 17.10.010 shall apply to these Regulations. In addition, the following terms shall have the meanings set forth in this section:

- A. **“Board” shall mean the five duly appointed members of the Snohomish County Noxious Weed Control Board.**
- B. **“Calendar Year” shall mean January 1 through December 31 of each year.**

SECTION IV. MEETINGS

- A. **Meetings shall be set on the second Thursday of February, March, April, May, July, September, and December of each year at 10:30 AM at a location announced in the legal notice before the first meeting of the calendar year.**
- B. **Notices of meetings for the year will be published twice in the Everett Herald at the start of each year. The first notice shall be published at least 20 days prior to the first meeting of the year, and the subsequent notice shall be published between 7 and 10 days before the first meeting of the year. The notice will include; the meeting time and place, where the County Weed List will be available, and a contact phone number.**
- C. **Amendments to Regulations: Any amendments to the Regulations will be made by a majority vote of the Board. However, before any amendment to the Regulations shall become effective, the amendment must be approved by the Snohomish County Council.**
- D. **Election of officers according to RCW 17.10.050(3) will occur at the end of the first regular meeting of the calendar year with the election of a Chairman and Vice-Chairman.**

SECTION V. COUNTY NOXIOUS WEED LIST

At least once annually, the Board shall review the Snohomish County Noxious Weed List and the Board may adopt a revised List that includes all Class A and Class B designated noxious weeds as defined in WAC 16-750 and those Class B undesignated noxious weeds and those Class C noxious weeds that the Board finds are necessary to be controlled in Snohomish County as authorized by RCW 17.10.090.

SECTION VI. CONTROL OF NOXIOUS WEEDS

- A. If, after a notice of violation is issued under the authority of RCW 17.10.170(1) and in accordance with County policies and procedures, an owner of land fails to control noxious weeds, the Board may determine that the noxious weeds should be controlled at the owner's expense in accordance with RCW 17.10.170(3) and (4). The owner may also be subject to a civil infraction issued in accordance with RCW 17.10.170(2). All such enforcement actions shall only be undertaken by County personnel who are specifically authorized to do so in accordance with County policies and procedures.**

- B. Control measures to prevent seed production may include pulling, tilling, spraying or any other legal method which prevents propagation for that growing season.**

SECTION VII. HEARING – CHARGES AND COSTS

An owner who is alleged to be liable for charges and costs incurred by the Board in controlling or causing the control of noxious weeds pursuant to either, or both, RCW 17.10.170 and 17.10.210, may request a hearing before the Board in accordance with RCW 17.10.180.

In order to request a hearing the owner must file a written request for a hearing with the Board by either hand delivering the same to the Board or mailing the same by certified mail, return receipt requested to the Snohomish County Noxious Weed Control Board mailing address, within (30) days from receipt of the notice of charges and costs.

At the conclusion of the hearing, the Board shall issue written findings and conclusions and a final determination of the charges and costs that must be paid by the owner. The Board's decision shall be final subject to judicial review by writ of certiorari in the Superior Court of Snohomish County in accordance with RCW 17.10.180 and chapter 7.16 RCW.

- SECTION VIII. PARTNERSHIP – The Board and the Department of Public Works will work together to implement the state Noxious Weed Law, chapter 17.10 RCW, in accordance with chapter 3.42 Snohomish County Code. The Department of Public works will implement operational policies and procedures designed to ensure that the requirements of chapter 17.10 RCW are implemented without conflict of interest and in a safe manner that protects the environment, employee safety, and public safety.**

SECTION IX. INTENT OF REGULATIONS

These regulations are intended to supplement the provisions of Chapter 17.10 RCW.

SECTION X. SEVERABILITY

If any provisions of these regulations or their application to any person or circumstance is held invalid, the remainder of these regulations and the application of said provisions to other persons or circumstances are not affected.

SECTION XI. These Rules and Regulations were adopted by the Board on February 10, 2011 and approved by the County Council on _____, 2011.