

Did You Know? Noxious Weeds

Pursuant to R.C. §5579.08 , a board of township trustees shall destroy all brush, briars, burrs, vines and noxious weeds growing along township roads within their jurisdiction. This duty must be completed each year once between the 1st and 20th days of June, once between the 1st and 20th of August, and if needed, once between September 1st and 20th to prevent or eliminate a safety hazard. All expenses incurred for cutting or destroying the weeds shall be paid from the township road fund.

Additionally, upon receiving written information that noxious weeds, wild parsnip, wild carrot, oxeye daisy, wild mustard, or other harmful weeds are growing on land in a township, other than land owned or managed by ODNR or park land owned or managed by the state or a political subdivision, the board of township trustees shall notify, by certified mail, the person having charge of the land of the obligations imposed by statute to remove noxious weeds. (R.C. §5579.05(A)) Within five days after the notification is given, the person shall cut or destroy the weeds or show the board why there is no need for doing so. If the person fails to cut or destroy the weeds, the board of township trustees shall cause the weeds to be cut or destroyed. The costs incurred by the board shall be paid out of the general fund. (R.C. §5579.06) Furthermore, the board shall make a written report to the county auditor with a statement of the board's charges for its services which then shall be entered upon the tax duplicate as a lien upon the land and collected as other taxes. (R.C. §5579.07)

Upon receiving information that wild parsnip, wild carrot, oxeye daisy, wild mustard, or noxious weeds are growing in a township on land owned or managed by ODNR or on park land owned or managed by the state or a political subdivision, the board of township trustees shall notify the county extension agent for the county in which the township is located of the receipt of the information. (R.C. §5579.05(B))

Similarly, R.C. §4959.11 requires that the superintendent or manager of a toll road, railroad or electric railway to destroy noxious weeds growing or being cut within the limits of such toll road, railroad or railway or within the limits of any right-of-way belonging to the company. The list of weeds is slightly longer and they include: all brush, briars, burrs, vines, Russian thistle, Canadian thistle, common thistle, wild lettuce, wild mustard, wild parsnip, ragweed, milkweed, ironweed, and all other noxious weeds. Should the superintendent or manager fail to do so, the board of township trustees shall do it. The board then shall have the right of action against the company for the amount of the charges, with one hundred per cent penalty and costs of action, to be recovered before any judge of a county court or judge of a municipal court having jurisdiction in the area of the county in which the work was done.

Pursuant to R.C. §971.33, an owner of land adjacent to a partition fence shall keep all brush, briars, thistles, or other noxious weeds cut in the fence corners and a strip four feet wide on the owner's side along the line of a partition fence. If the person neglects or refuses to cut brush, briars, thistles, or other noxious weeds, after ten days, the abutting property owner on the partition fence may notify the board of township trustees, who shall view the premises, and if satisfied that there is just cause of complaint, shall cause them to be cut, by letting the work to the lowest bidder, or by entering into a private contract therefor. (R.C. §971.34) The board, after the work is completed, shall certify to the county auditor the amount of the cost of the work. The auditor shall place the amount upon the tax duplicate to be collected as other taxes. (R.C. §971.35)