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States' Noxious Weed Statutes and Regulations:

Ohio



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States' Noxious Weed Statutes: Ohio

Ohio Revised Code

Title 9 Agriculture-Animals-Fences

Chapter 971 Fences

§ 971.33. Cutting of noxious weeds.

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, but this section does not affect the planting of vines or trees for use.

§ 971.34. Notice to landowner failing to cut noxious weeds.

If the owner or tenant occupying land neglects or refuses to cut brush, briars, thistles, or other noxious weeds, as provided in section 971.33 of the Revised Code, an owner or occupant of land abutting on the partition fence, after having given the owner or tenant not less than ten days' notice to cut or remove them, may notify the board of township trustees of the township in which the land is situated, who shall forthwith 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.

§ 971.35. Cost - collection and payment.

When the work authorized in section 971.34 of the Revised Code is completed, the board of township trustees shall certify to the county auditor the amount of the cost of the work with the expense thereto attached, and a correct description of the land upon which the work was performed. The auditor shall place the amount upon the tax duplicate to be collected as other taxes. The county treasurer shall pay the amount, when collected, to the township fiscal officer as other funds are paid.

§ 971.36. Anticipating cost.

The board of township trustees may anticipate the collection, and refund the cost of the work authorized in section [971.34](#) of the Revised Code, to the township fiscal officer for the amount, payable out of any township funds that may be in the fiscal officer's hands.



Title 49 Public Utilities

Chapter 4959 Right of Way Drainage and Fences

§ 4959.11 Destruction of noxious weeds.

The superintendent or manager of a toll road, railroad, or electric railway shall destroy 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 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 owning such toll road, railroad, or railway, whether or not it is in actual operation on such right of way, between such days as are specified in section 5579.04 of the Revised Code. In default of such destruction, and for five days thereafter, the board of township trustees of a township through which such toll road, railroad, or railway passes, shall cause it to be done, and shall have a right of action against such company for the amount of such work, with one hundred per cent penalty and costs of action, to be recovered before any judge or a county court or judge of a municipal court having jurisdiction in the area in which the work was done.

Title 55 Roads-Highways-Bridges

Chapter 79 General Highway Provisions

§ 5579.04 Destruction of brush, briars, weeds, and thistles along highways.

(A) As used in sections 5579.04 to 5579.08 of the Revised Code, "noxious weed" means shatter cane (*Sorghum bicolor*), Russian thistle (*Salsola kali* var. *tenuifolia*), or any plant designated a prohibited noxious weed by the director of agriculture.

(B) A board of county commissioners, a board of township trustees, or the street commissioners of a municipal corporation, having control of and being charged with the duty of repairing macadamized, graveled, or improved roads, and county engineers, township road superintendents, and the street commissioners of each municipal corporation, between the first and twentieth days of June, the first and twentieth days of August, and, if necessary, the first and twentieth days of September of each year or whenever necessary to prevent or eliminate a safety hazard, shall destroy all brush, briars, burrs, vines, noxious weeds, and, until June 1, 1996, multiflora rose, growing within the limits of a county or township road or improved, graveled, or macadamized road, street, or alley within their jurisdiction.

§ 5579.05 Notice to destroy weeds.

(A) 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 the department of natural resources, or park land owned or managed by the state or a political subdivision, the board of township trustees shall notify the owner, lessee, agent, or tenant having charge of the land of the receipt of the information and of the obligations



imposed by this section. Within five days after the notification is given, the person notified shall cut or destroy the weeds or show the board why there is no need for doing so.

If the person in charge of the land is a resident of the township or a nonresident whose address is known, the notice shall be sent to his address by certified mail. If the person's address is unknown, it is sufficient to publish the notice once in a newspaper of general circulation in the county.

(B) 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 the department of natural resources, 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. Within five days after the notification is given, the extension agent shall meet in committee with a person designated for this purpose by the governing authority of the land and, if the land is within a soil and water conservation district, with a supervisor of the district designated by the district supervisors, to consider ways to deal with the problem, and shall, within such five days, report the committee's findings and recommendations to the board of township trustees.

This section and sections 5579.06 and 5579.07 of the Revised Code do not apply to persons subject to section 4959.11 of the Revised Code.

§ 5579.06 Effect of noncompliance with notice.

If the owner, lessee, agent, or tenant having charge of the land mentioned in division (A) of section 5579.05 of the Revised Code fails to comply with that division, the board of township trustees shall cause the weeds to be cut or destroyed and may employ the necessary labor, materials, and equipment to perform the task. All expenses incurred shall, when approved by the board, be paid out of the township general fund from moneys not otherwise appropriated.

§ 5579.07 Expense a lien upon land.

The board of township trustees shall make a written report to the county auditor of the board's action under sections 5579.05 and 5579.06 of the Revised Code with a statement of the board's charges for its services, the amount paid for the labor, materials, and equipment, and a proper description of the premises. These amounts, when allowed, shall be entered upon the tax duplicate, shall be a lien upon the land from the date of the entry, and shall be collected as other taxes and returned to the township and placed in the township general fund.

§ 5579.08 Cutting of briers, brush, and noxious weeds.

All brush, briers, burrs, vines, and noxious weeds growing along the public highway shall be cut or destroyed between the first and twentieth days of June, the first and twentieth days of August, and, if necessary, between the first and twentieth days of September of each year or whenever necessary to prevent or eliminate a safety hazard. This work shall be done by the board of township trustees in its respective township, or by the township highway superintendent, who may employ the necessary labor to carry out this section. All



expenses incurred shall, when approved by the board, be paid from the township road fund by the township fiscal officer, upon the fiscal officer's warrant.

Ohio Administrative Code

901:5 Department of Agriculture Plant Industry

901 Department of Agriculture

Rule 901:5-3-37-01. Prohibited Noxious Weeds

The following plants are hereby designated "prohibited noxious weeds":

- (A) Shatter cane (*Sorghum bicolor*).
- (B) Russian thistle (*Salsola Kali* var. *tenuifolia*).
- (C) Johnsongrass (*Sorghum halepense*).
- (D) Wild parsnip (*Pastinaca sativa*).
- (E) Grapevines (*Vitis* spp.), when growing in groups of one hundred or more and not pruned, sprayed, cultivated, or otherwise maintained for two consecutive years.
- (F) Canada thistle (*Cirsium arvense*).
- (G) Poison hemlock (*Conium maculatum*).
- (H) Cressleaf groundsel (*Senecio glabellus*).
- (I) Musk thistle (*Carduus nutans*).
- (J) Purple loosestrife (*Lythrum salicaria*).
- (K) Mile-A-Minute Weed (*Polygonum perfoliatum*).
- (L) Giant Hogweed (*Heracleum mantegazzianum*).
- (M) Apple of Peru (*Nicandra physalodes*).
- (N) Marestalk (*Conyza canadensis*)
- (O) Kochia (*Bassia scoparia*).
- (P) Palmer amaranth (*Amaranthus palmeri*).
- (Q) Kudzu (*Pueraria montana* var. *lobata*).



- (R) Japanese knotweed (*Polygonum cuspidatum*).
- (S) Yellow Groove Bamboo (*Phyllostachys aureasculata*), when the plant has spread from its original premise of planting and is not being maintained.
- (T) Field bindweed (*Convolvulus arvensis*).
- (U) Heart-podded hoary cress (*Lepidium draba sub. draba*).
- (V) Hairy whitetop or ballcress (*Lepidium appelianum*).
- (W) Perennial sowthistle (*Sonchus arvensis*).
- (X) Russian knapweed (*Acroptilon repens*).
- (Y) Leafy spurge (*Euphorbia esula*).
- (Z) Hedge bindweed (*Calystegia sepium*).
- (AA) Serrated tussock (*Nassella trichotoma*).
- (BB) Columbus grass (*Sorghum x alnum*).
- (CC) Musk thistle (*Carduus nutans*).
- (DD) Forage Kochia (*Bassia prostrata*).
- (EE) Water Hemp (*Amaranthus tuberculatus*).

