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## NOTICE OF NONCOMPLIANCE

**Legal Description:**

**Property Address:**

**Noxious Weeds Present:**

**Applicable Montana Code: 7-22-2116; 7-22-2123; 7-22-2124**

Date:

Name:

Address:

City, State, Zip

Dear (Name),

The county has attempted to reach you to work with you regarding invasive plant management on the above referenced property in order to eradicate or control the noxious weed on your property at the above address. Notices have been sent to you on **(Date(s))** requesting (actions, meeting, compliance with a management plan, and/or entrance into a management plan), which has not occurred.

The presence of these noxious weeds violates State law and it is the landowners' responsibility to control noxious weeds on their land per MCA, Section 7-22-2116. State law provides 10 day after the mailing of this notice for contact with us, at the address provided at the top of this notice, to address the issue before a determination of Failure to Take Corrective Action is made and the property is subject to Noncompliance Control Measures, as stated below.

### **Notification of Corrective Action Required Within 10 Days – FINAL NOTICE:**

1. Submit a weed management proposal or request a hearing as specified below
2. Other actions if any

### **Failure to Take Corrective Action – Noncompliant Landowner Subject to Control Measures Pursuant to 7-22-2124, MCA:**

1. The property described above will be treated with appropriate control measures, which may include herbicide application. You will be responsible for the cost of all control measures and associated penalties, which may include costs for labor, material, equipment time and penalty that is up to 25% of the total cost. The anticipated cost of this would be \$(dollars), including the penalty.
2. Invoices need to be paid within thirty (30) days of receipt. Invoices not paid in full within thirty (30) days may become a lien upon the property.

The landowner has the right to request a hearing to contest the finding of noncompliance, by way of an injunction or stay of the corrective action, in district court within 10 days of receipt of this notice. The board may not institute control measures until the matter is finally resolved, except in the case of an emergency. In that case, the person is liable for costs as provided in subsection (1) of MCA 7-22-2124, only to the extent determined appropriate by the board, commissioners, or court that finally resolves the matter.

If you have any questions, comments, or if you are not in fact the landowner of the property in questions, please contact me at (phone number)

Sincerely,

Jefferson County Weed District