

For Landowners: Noxious Weed Compliance FAQ

Why did I receive a letter from the Noxious Weed Control Division?

You received a letter because a complaint was filed and County staff observed listed noxious weeds on your property during an inspection. The County's goal is to work with landowners first through voluntary compliance before enforcement is considered.

What is a Voluntary Compliance Request?

A Voluntary Compliance Request is the first official notice sent when noxious weeds are verified on a property. It provides information about:

- The noxious weeds observed
- The location of the infestation
- Weed management resources
- How to submit a Voluntary Compliance Plan (VCP)

What is a Voluntary Compliance Plan (VCP)?

A VCP is a short, written plan describing how you will manage the identified noxious weeds on your property. It must include:

- Management methods (hand pulling, mowing, herbicide, etc.)
- A general timeline for control
- Your signature

You have 14 days from the postmark date on the letter to submit a VCP.

What if I'm already managing noxious weeds?

If you've already taken action, that's encouraged. Management will be verified during a follow-up inspection, even if you do not submit a plan. Submitting a VCP helps document your efforts and avoid delays.

Can staff help me identify weeds or create a plan?

Yes. Division staff are available to:

- Answer questions
- Provide guidance on management methods
- Conduct an on-site inspection if requested

The program emphasizes education and assistance.

What happens during the second inspection?

The second inspection checks whether weed management has occurred, regardless of whether a VCP was submitted.

Possible outcomes:

- In Compliance – Management is observed
- Noncompliance Review – No management is observed

What is a Notice of Noncompliance?

A Notice of Noncompliance is sent only after the Board approves it by unanimous vote if no weed management is observed. It is sent by certified mail and provides:

- Legal notice under Montana law
- Ten (10) days to respond
- An opportunity to submit a Noxious Weed Management Proposal

If state laws provides ten (10) days after the receipt of certified delivery for the Notice of Noncompliance, when is day one (1)?

The delivery day does not count as day one (1). You will have ten (10) full days, beginning the day after delivery. For example, if the letter is delivered on May 1st, you will have until end of day May 11th to have performed one of the following:

- Submit a Noxious Weed Management Proposal (Proposal).
- Request a hearing.
- Request a Site Visit.
- Contact the Lewis and Clark Noxious Weed Control District to work on a Proposal.

What is a Noxious Weed Management Proposal?

A Proposal is a formal management plan submitted during noncompliance. If approved by the Board, it becomes binding to the property for the year of submission and the following year.

Can I request a hearing or speak to the Board?

Yes. You have the right to:

- Contact the Board or its agent
- Request a hearing
- Attend the public Board meeting where your case is discussed

Meeting agenda information, including time and location, may be found at the City County Building or online:

1. City County Building: 316 N Park Ave, Helena, MT 59632. Posted outside rooms 309 and 326.

OR

2. <https://www.lccountymt.gov/Government/Public-Works/Noxious-Weed-Control->

[District/Board-Meeting-Documents-and-Information](#)

What happens if I do nothing?

If no management occurs and no proposal is submitted after confirmed notice:

- The property remains in Noncompliance
- The Board may post a dated notice on the property
- The Board may seek a court order authorizing weed control under Montana law

Will my property continue to be monitored?

Yes. Once compliance or mitigation is documented, properties are typically monitored for:

- The year of compliance
- The following year

This ensures noxious weeds do not re-establish.