

Fayette County Roadside Management

No Spray Request Program

The County has imposed by chapter 317 of the code of Iowa to control noxious weeds on public and private property. Chapter 319 of the Code of Iowa also imposes upon the county the duty to remove obstacles within the right of way. Many weeds growing in the right of way are on the state noxious weed list. Trees and brush in the right of way create obstacles to vision, and if allowed to grow large, create hazardous obstacles for errant vehicles. Spraying weeds and brush with herbicides is by far the most efficient manner of controlling the growth of noxious weeds and brush within county rights of way.

In spite of care exercised by county employees conducting roadside spraying, occasionally spray vapour drifts onto adjacent properties where it may burn or kill flowers, ornamental plants or fruit trees close to the right of way line. Some landowners with children prefer that the county not spray near their yards. With the increasing number of organic farms starting in Iowa, roadside sprayers are asked to avoid spraying certain area to avoid decertifying the farm's organic status, which takes three years of certified no-chemical use to earn.

The desire to have the county not spray certain areas of its right of way has led to the placement of multiple types of "No Spray" signs that may at times be screened by the very weeds the county seeks to destroy in response to its state code mandated duty, resulting in the county spraying areas that the landowner prefers to have no spray applied.

Whether spraying occurs or not, noxious weeds must still be destroyed. Brush, which often screens sight lines at intersections or driveways, must also be controlled. Due to the limited number of county employees, the elimination of noxious weeds and brush must be done efficiently to allow the county to maximize the impact a limited number of crew members makes on over 1100 miles of county road rights of way which adds up to over 9000 acres of property to manage. Since county crews often cannot be freed from methods, if spraying is not allowed due to landowner preference, the landowner shall bear the responsibility for destroying problem seeds and brush.

This program addresses the permitting of no spray areas and sets up requirements for landowners who choose not to allow the county to spray weeds and brush in its rights of way adjacent to their land.

No Spray Program

Landowners may request that road rights of way not be sprayed adjacent to their property. To join this program, landowners must request a to place no spray signs at their property line where it joins county right of way. Upon approval of the no spray request, the county will issue signs saying "DO NOT SPRAY" which must be installed and maintained in place by the property owner. The property owner is required to purchase the signs, supply the post and install the signs. If the signs are vandalized or destroyed, the landowner may purchase new signs. The county is not

liable for spraying areas that are not marked in compliance with the terms of this program.

The minimum height for these signs is 5 feet above the road shoulder elevation. This height is the same as required for road signs and places the signs where they will be above most weed growth. Signs will be posted at the right of way line oriented 45 degrees to the property line so that they are visible from the road. The signs should be mounted on a metal post at the right of way line or next to the fence in the area to be included in the program.

The county will annually place a press release in the official count newspapers opening applications for no spray areas. Requests will be approved upon application by any Roadside Management staff member. Landowners who do not obtain a permit will not be eligible to participate in this program. Signs not conforming to the county standard will not be allowed.

By enrolling in this program, the landowner will agree to take responsibility for the destruction of weeds and brush within the no spray areas. If the landowner does not control weeds and brush within no spray areas, the county will send the landowner notice to destroy the brush or weeds with a stated 10 day period for destruction of the weeds. If the landowner fails to destroy the brush or weeds within the notice period, the county will destroy the weeds by spraying or any other method that the county roadside manager deems efficient and recover the cost from the landowner.

The attached no spray program is approved this _____ day of _____, _____, by the Fayette County Conservation Board meeting in regular session.

For Fayette County Conservation Board

RECOMMENDED:

Attachment: No Spray Request

Fayette County Roadside Management

NO. _____

18673 Lane Rd
Fayette, IA 52142
563-425-3613

No Spray Request

Name(Owner / Renter): _____

Address: _____

City/State/Zip: _____

Phone: _____

I request that the Fayette County Roadside Management Department not apply herbicides to the right-of-way adjacent to the property I hereby designate.

Reason (Organic/Sensitive crops, health, etc): _____

Areas That Are Not To Be Treated

(Please be as specific as possible and include a map or illustration)

County Road _____ Side of Road N S E W

Twp _____ Section _____

From _____ To _____

County Road _____ Side of Road N S E W

Twp _____ Section _____

From _____ To _____

I will post the above location(s) with the county approved NO SPRAY signs at both ends. The signs shall be placed 5 feet above the ground and have an unobstructed view from the road. Sign maintenance and visibility is the responsibility of the requestor. Cost of signs is \$10.00 per sign.

I understand that by requesting that no herbicides be used in this area, I am now responsible for the vegetation control in the right-of-way, including: brush, trees, and noxious weeds (as listed in Section 317.1A, Code of Iowa) and shall follow the Fayette County Right-of-Way mowing policy.

If, upon inspection by Fayette County Roadside Management staff, the vegetation is found to be improperly managed, we reserve the right to apply herbicide to the affected area and recover the costs from the requestor.

This is a long-term agreement and must be renewed every five years.

Owner Signature _____ Date _____