

JOHNSONGRASS CONTROL ORDINANCE
FOR THE
COUNTY OF ACCOMACK, VIRGINIA

The existence of growth of a species of grass, Sorghum halepense, commonly known as "Johnsongrass," as well as other Sorghum spp. With perennial rhizomes, (includes perennial sweet sudangrass, sorghum alnum and hybrids derived therefrom) are hereby declared to be a public nuisance.

It shall be unlawful to knowingly allow Johnsongrass to form a seed head on any land and it shall be the duty of each landowner to mow, fallow, treat with herbicides, or use such other practices as may be approved by the Board of Supervisors as effective in preventing seed head formation on all Johnsongrass or other perennial Sorghum spp. On his property. Provided, however, a landowner or lessee may enter into a written compliance agreement with the Board of Supervisors or its designee specifying terms and conditions of a control program and so long as all the terms and conditions are being complied with, there is no violation of this ordinance.

It shall be unlawful to import Johnsongrass into this county or to transport Johnsongrass within this county in any form capable of growth or to knowingly contaminate any uninfested land with Johnsongrass through the movement of rootstocks, plant parts, seed, soil, mulch, nursery stock, farm machinery, or other media.

The Board of Supervisors may enter into an agreement with the Virginia Department of Agriculture and Consumer Services for the purpose of the control of Johnsongrass within the county and may accept funds from said Department as agreed upon; further, this ordinance is in accordance with Section 15.1-28.4 of the Code of Virginia, 1984 as amended.

There is hereby established a Johnsongrass Control Committee composed of eight members, each to serve at the pleasure of the Board. Said committee shall appoint all individuals responsible for a Johnsongrass Control Program, approve all expenditures of funds, and administer the Johnsongrass Control Program.

The Johnsongrass Control Program Committee, or its representatives, shall conduct surveys to determine the location and amount of infestations of the Johnsongrass within the county; shall provide the necessary technical and other assistance to land owners in a cooperative control or eradication program; and may effect a program of spraying or other control practices on road rights-of-way and other public or private lands.

The Board may accept, use, or expend such aid, gift, grant, or loan as may from time to time be made available from any source, public or private, for the purposes of carrying out the provisions of this ordinance.

Services rendered for actual control practices may be billed to the landowner or lessee and collected. All reimbursements shall be promptly deposited in a special Johnsongrass control fund and shall not revert to the General Fund of the County regardless of date accrued or collected.

Any person who fails or refuses to comply with this ordinance shall be deemed guilty of a misdemeanor and if convicted shall be punished by fine of not less than \$100.00 nor more than \$1,000.00 for the first conviction, \$2,000.00 for the second conviction and \$5,000.00 or more for third and succeeding convictions.

Should any section, paragraph, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of such ordinance shall not be affected thereby.

Certificate

I hereby certify that the foregoing is a true copy of an ordinance and agreement adopted by the Town Council for the Town of Parksley, Virginia, at its regular meeting held on August 13, 1990.

Denise L. Bernard
Denise L. Bernard, Town Clerk
J. Fulton Ayres
Mayor

