

2018 Kansas Statutes

2-1331. Notification of owner of lands infested with noxious weeds; inspection; initial general or official notice; subsequent legal notice. (a) When a weed supervisor has knowledge that any land in the weed supervisor's jurisdiction is infested, in any current year, with any noxious weed, the weed supervisor shall give notice, by publication of a general notice in the official county newspaper pursuant to subsection (b) or an official notice by mail, of such infestation to the person, association of persons, governmental agency, corporation or agent thereof, that owns the land. In the event the land is under the control or supervision of an operator or supervising agent, the notice shall also be mailed to the operator or supervising agent. Such notice shall contain the official methods adopted by the secretary for the control and eradication of the noxious weeds that the weed supervisor found on the land and shall also contain a specified time within which the owner, operator or supervising agent shall complete the required treatment for the control or eradication of any such noxious weed.

(b) On or before April 1 of each year, the county weed supervisor may publish in the official county newspaper the general notice of noxious weed infestation, which shall remain in effect until March 31 of the following year. The cost of such publication shall be paid from the noxious weed eradication fund or, if the noxious weed program is funded primarily through the county general fund, the cost shall be paid from the county general fund. If the noxious weed program is funded from more than one source, the cost shall be paid from each source in proportion to its contribution to the noxious weed program.

(c) If an inspection by the weed supervisor, made on or after the completion date stated in the official notice prescribed under subsection (a) or publication of the general notice under subsection (b), reveals satisfactory treatment progress has not been made, the weed supervisor may send, by certified mail, to the owner and to the operator or supervising agent of the noxious weed infested land, a legal notice as described in subsection (e).

(d) In the event the weed supervisor determines that musk thistle plants that are found on land in the weed supervisor's jurisdiction have reached a stage of maturity where the official methods for control and eradication would not give satisfactory results, the supervisor may give legal notice requiring fall treatment to be performed in the current year. The provisions of this subsection shall expire on December 31, 2020.

(e) The secretary shall adopt rules and regulations establishing requirements for the legal notice to be given to the owner and to the operator or supervising agent of any noxious weed infested land.

(f) Prior to issuing any legal notice pursuant to subsection (c) or (d), the weed supervisor shall notify the owner, operator or supervising agent by telephone call, personal contact, first class mail or by electronic means of the noxious weed infestation.

History: L. 1973, ch. 4, § 1; L. 1986, ch. 6, § 1; L. 1995, ch. 32, § 2; L. 2004, ch. 101, § 33; L. 2018, ch. 77, § 16; July 1.