

ORDINANCE NO. 25-004
**AN ORDINANCE OF CANYON COUNTY, IDAHO, ESTABLISHING AND ADOPTING
CHAPTER 2, ARTICLE 13, TALL GRASS AND WEEDS OF CANYON COUNTY
CODE OF ORDINANCES; AND SEVERABILITY CLAUSES;
AND AN EFFECTIVE DATE.**

BE IT ORDAINED by the Canyon County Board of County Commissioners as follows:

SECTION 1. TITLE: This ordinance shall be known and cited as the Canyon County Tall Grass and Weeds Ordinance.

SECTION 2. STRUCTURE: Titles and subtitles of this ordinance are only used for organization and structure and the language in each paragraph of this ordinance should control with regard to determining the legislative intent and meaning of the Board of County Commissioners.

SECTION 3. PURPOSE: The purpose of this ordinance is to establish and adopt Chapter 2, Article 13, Tall Grass and Weeds, of the Canyon County Code of Ordinances.

SECTION 4. AUTHORITY: This ordinance Chapter 2, Article 13, Tall Grass and Weeds, of the Canyon County Code of Ordinances is enacted pursuant to the authority conferred by Idaho Constitution, Article 12, Section 2, and Idaho Code §§ 39-4116, 31-714, 31-801 and 31-828.

SECTION 5. Chapter 2, Article 13, Section 1 TITLE is hereby established and adopted as follows:

This article shall be known as the CANYON COUNTY TALL GRASS AND WEEDS ORDINANCE and may be so cited.

SECTION 6. Chapter 2, Article 13, Section 3 PURPOSE AND INTENT is hereby established and adopted as follows:

Canyon County hereby finds that tall grass and weeds can have a blighting effect on neighborhoods, can constitute a fire hazard and can provide a refuge for vermin and insects. The purpose of this article is to secure the public health, safety and general welfare of the residents and property owners of Canyon County by regulating tall grasses and weeds in unincorporated Canyon County.

SECTION 7. Chapter 2, Article 13, Section 5 DEFINITIONS is hereby established and adopted as follows:

ABATEMENT

The affirmative act of cutting, burning, applying herbicide, removing or taking other steps as may be necessary to remedy a

ORDINANCE ADOPTING
CHAPTER 2, ARTICLE 13,
TALL GRASS AND WEEDS

ORDINANCE NO. 25-004

	violation of this article and includes intermediate measures such as creating a firebreak.
COUNTY WEED SUPERINTENDENT	Person in the employ of the Board of County Commissioners pursuant to Title 22, Chapter 24 of the Idaho Code, as amended.
NOXIOUS WEEDS:	Any plant having the potential to cause injury to public health, crops, livestock, land or other property which has been designated as noxious pursuant to Title 22, Chapter 24 of the Idaho Code, as amended.
OCCUPANT:	Any person who is in control of or occupying a parcel of property pursuant to a verbal or written agreement with the owner thereof or any person who is in control of or occupying a parcel of property pursuant to an assertion of legal interest in the property.
OWNER:	Any person holding an ownership interest in land in Canyon County. For the purposes of this article, the name and address listed on the County property tax roll shall indicate ownership interest in such land.
PARCEL	Land in Canyon County as identified by the County Assessor for the purpose of collecting property taxes including any easement appurtenant.

SECTION 8. Chapter 2, Article 13, Section 7 LAND SUBJECT TO REGULATIONS is hereby established and adopted as follows:

This article does not apply to the following:

- A. Land used for agricultural or pasture purposes, including weeds in fields devoted to growing any small grain crops such as wheat, oats, barley or rye.
- B. Portions of lands used for gardens and/or ornamental plants.
- C. Naturally wooded areas, wetlands, rangelands or riparian areas.
- D. Privately owned lands subject to a conservation easement or maintained for a wildlife and/or pollinator habitat in partnership with a non-profit organization.
- E. Lands owned by the United States, State of Idaho, or a local government entity.
- F. Residential subdivisions subject to recorded covenant, conditions and restrictions that provide a private remedy and/or can be enforced by a homeowners' association.
- G. Noxious weeds designated pursuant to Title 22, Chapter 24 of the Idaho Code, as amended.

SECTION 9. Chapter 2, Article 13, Section 9 PROHIBITION OF NUISANCE GRASS AND WEEDS is hereby established and adopted as follows:

It shall be unlawful for the owner or occupant of any parcel of land within unincorporated Canyon County to cause, allow, permit or suffer any grass, weed or other plant to such a size and/or in such a condition as to cause, or reasonably threaten to cause a fire hazard, a safety hazard, or detriment to public health to remain standing or growing on such parcel. It shall be the duty of all said owners and/or occupants either to cut down or otherwise dispose of by lawful means any grass, weeds or other plant in violation of this article.

SECTION 10. Chapter 2, Article 13, Section 11 ENFORCEMENT is hereby established and adopted as follows:

A. Enforcement Official: This article shall be enforced by the county weed superintendent and the superintendent's designees.

B. Right of Entry: The Enforcement Official, and his or her designees, are hereby empowered to enter upon any land in Canyon County for the purpose of inspecting, removing and/or destroying of tall grass and weeds prohibited under this article. No person shall harass or interfere with such person or persons while they are engaged in carrying out the provisions of this article.

C. Violation Notice: After inspection, if any property is determined to be in violation of this article, a violation notice will be sent to the property owner and/or occupant of said premises. The notice shall be sent by first class mail and by posting a copy of said notice on the property. The notice shall give the property owner and/or occupant seven (7) days from the date of mailing of the notice and posting of the notice to cut the tall grass and/or remove weeds.

D. Failure to Comply: If the violation of this article is not remedied within seven (7) days after the mailing and posting of a violation notice, the Enforcement Official, and his or her designees, shall have the authority to enter upon the land to cause the nuisance to be abated. Canyon County, its agents and representatives, shall not be responsible for damage to buildings, vehicles, landscape, trees, shrubs, etc., during the abatement of property in violation of this article.

E. Assessment of Costs: All expenses of such abatement, to include equipment usage, transportation, man-hours involved and overhead, including any and all cost incurred in the removal or relocation of debris, junk or other miscellaneous obstructions which would be necessary or convenient to carry out the requirements of this article shall be paid by the owner of such land plus an administrative charge of fifteen percent (15%) thereof per parcel, per abatement.

F. Payment of Costs: Canyon County shall submit a bill to the property owner for the cost of such abatement. If the property owner does not pay the bill within thirty (30) days of the date of the invoice the cost of such abatement shall be charged against the parcel and it shall become an automatic lien upon the property. A notice of lien shall be recorded upon the property and shall not be released until payment is made in full.

G. Certification of Costs: If full payment is not made within thirty (30) days of the mailing of the billing statement, the Board of County Commissioners shall certify such charge to be placed on the property tax roll.

H. Season: The Enforcement Official shall only issue notices of violation of this article from April 1st to September 30th of each year.

**ORDINANCE ADOPTING
CHAPTER 2, ARTICLE 13,
TALL GRASS AND WEEDS**

SECTION 11. Chapter 2, Article 13, Section 13 INTERFERENCE WITH ENFORCEMENT OFFICIAL is hereby established and adopted as follows:

It shall be unlawful, and shall be a misdemeanor punishable as provided in Idaho Code section 18-113, to interfere with the Enforcement Official, or his or her designees, in the performance of duties connected with enforcement of this article. Such interference shall include, but not be limited to, removal of notices posted on the property pursuant to this article or impediment or harassment of the authorized person in the performance of their duties under this article.



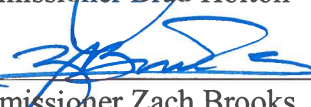
SECTION 12. SEVERABILITY Should any action or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the article as a whole or a part thereof other than the part declared to be unconstitutional or invalid.

SECTION 13. EFFECTIVE DATE: This ordinance shall be and is hereby declared to be in full force and effect upon its passage, approval and publication as provided by law in one issue of the Idaho Press-Tribune and as provided for in Idaho Code §§ 31-715 and 31-715A.

DATED this 13th day of March, 2025.

CANYON COUNTY BOARD OF COMMISSIONERS

- Motion Carried Unanimously
- Motion Carried/Split Vote Below
- Motion Defeated/Split Vote Below

	Yes	No	Did Not Vote
 _____ Commissioner Leslie Van Beek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Commissioner Brad Holton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Commissioner Zach Brooks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST: RICK HOGABOAM, CLERK

By: Cross
Deputy Clerk


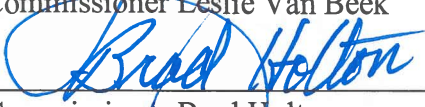

SUMMARY OF ORDINANCE NO. 25-004
AN ORDINANCE OF CANYON COUNTY, IDAHO, ESTABLISHING AND ADOPTING
CHAPTER 2, ARTICLE 13, TALL GRASS AND WEEDS OF CANYON COUNTY
CODE OF ORDINANCES; AND SEVERABILITY CLAUSES;
AND AN EFFECTIVE DATE.

1. **Name of County:** Canyon County.
2. **Formal identification or citation number of Ordinance:** Ordinance No 25-004.
3. **Descriptive title:** An Ordinance of Canyon County, Idaho Establishing and Adopting Chapter 2, Article 13, Tall Grass and Weeds, of the Canyon County Code of Ordinances.
4. **Summary of principal provisions of Ordinance:**
 - a. An Ordinance establishing and adopting Chapter 2, Article 13, Tall Grass and Weeds of the Canyon County Code of Ordinances.
 - b. Chapter 2, Article 13, Section 1, Title is established and adopted.
 - c. Chapter 2, Article 13, Section 3, Purpose and Intent is established and adopted
 - d. Chapter 2, Article 13, Section 5, Definitions is established and adopted.
 - e. Chapter 2, Article 13, Section 7, Land Subject to Regulations is established and adopted.
 - f. Chapter 2, Article 13, Section 9, Prohibition of Nuisance Grass and Weeds is established and adopted.
 - g. Chapter 2, Article 13, Section 11, Enforcement established and adopted.
 - h. Chapter 2, Article 13, Section 13, Interference with Enforcement established and adopted.
5. **Effective date and availability of text:** This Article shall be in full force and effect on the date of publication of this Summary in the Idaho Press-Tribune. The full text of the Ordinance No. 25-004 is available at the Office of the Canyon County Board of Commissioners, located on the first floor, Canyon County Courthouse, 1115 Albany Street, Caldwell, Idaho and also at the Canyon County Recorder's Office, Canyon County Administration Building 111 N. 11th Avenue, Caldwell, Idaho.

THE ABOVE SUMMARY IS APPROVED THIS 13th day of March, 2025.

CANYON COUNTY BOARD OF COMMISSIONERS

- Motion Carried Unanimously
- Motion Carried/Split Vote Below
- Motion Defeated/Split Vote Below

	Yes	No	Did Not Vote
 _____ Commissioner Leslie Van Beek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Commissioner Brad Holton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Commissioner Zach Brooks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST: RICK HOGABOAM, CLERK

By: J Ross
Deputy Clerk

CLERK'S CERTIFICATION

I hereby certify, pursuant to Idaho Code § 31-715A(3), that the above Summary is a true and complete Summary of Ordinance No. 25-004, an Ordinance of Canyon County, Idaho amending Chapter 2, Article 13, Tall Grass and Weeds, enacted by the Board of County Commissioners of Canyon County, Idaho on March 13, 2025, and that this Summary is true and complete and provides adequate notice to the public of the enactment of the Ordinance and its provisions. The full and complete text of the Ordinance is available for review in the Office of the Canyon County Board of Commissioners, located on the first floor, Canyon County Courthouse, 1115 Albany Street, Caldwell, Idaho, 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays and in the Office of the Canyon County Recorder, located at the Canyon County Administration Building, 111 N. 11th Avenue, Caldwell, Idaho, 8:30 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

CERTIFIED this 13th day of March, 2025.

RICK HOGABOAM, CLERK

By: J Ross
Deputy Clerk

PUBLISH:
Idaho Press-Tribune, March 18, 2025