



10.
02/17/04

Ordinance No. 749, 2004

Amending Clallam County Code, Chapter 5.28, Assessment Levied for Noxious Weed Control, to remove provision of basic support for the Noxious Weed Control Program without charge

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Chapter 5.28

ASSESSMENT LEVIED FOR NOXIOUS WEED CONTROL

Sections:

- 5.28.010 Purpose and need.
- 5.28.020 Land classification.
- 5.28.030 Rate.
- 5.28.040 Lien against property.
- 5.28.050 Special fund.
- 5.28.060 Effective date.

SOURCE:	ADOPTED:
Ord. No. 651, 1998	11/03/98

AMENDED SOURCE:	ADOPTED:
Ord. No. 655, 1998	12/22/98

5.28.010 Purpose and need.

The Clallam County Noxious Weed Control Board is organized under Chapter 17.10 RCW to control the spread of noxious weeds in order to protect human health, livestock, wildlife, native habitat, and ecosystem functioning. "Noxious weeds" are those plants which are highly destructive, competitive, or difficult to control by cultural or chemical practices and which are regulated by the State of Washington under Chapter 17.10 RCW and listed under Chapter 16-750 WAC.

The Board states the need for noxious weed control exists within Clallam County. RCW 17.10.240 authorizes the Clallam County Board of Commissioners to levy an assessment against all benefiting land for noxious weed control purposes.

5.28.020 Land classification.

The Clallam County Noxious Weed Control Board has classified land in Clallam County pursuant to the requirements outlined in RCW 17.10.240. The classifications of land subject to assessment are defined as forest and nonforest as provided in Attachment A which by this reference is incorporated herein. The Clallam County Board of Commissioners finds that the public interest will be served by the imposition of the special assessments made under this legislation, and that the special assessments to be imposed on any land will not exceed the special benefit that the land receives or will receive from the activities of the Clallam County Noxious Weed Control Board.

5.28.030 Rate.

An assessment for the Clallam County noxious weed control program of \$1.50 per parcel and \$0.13 per acre on all property not classified as forest land shall be imposed annually. Under RCW 17.10.240,

forest lands may be subject to an annual noxious weed assessment that does not exceed one-tenth of the weighted average of the per acre and per parcel rate levied on other lands that are subject to the weed assessment. Property classified as forest land, as defined in RCW 84.33.035, which is used solely for the planting, growing or harvesting of trees and which is typified, except for a single five (5) year period following clear-cut logging, by canopies so dense as to prohibit the growth of an understory shall be assessed at the rate of \$0.15 per parcel and \$0.013 per acre.

5.28.040 Lien against property.

The amount of such assessment shall constitute a lien against any property for which the assessment has not been paid by the date it is due, as provided in RCW 17.10.240. A notice of lien shall be sent to each owner of such property.

All liens created shall be collected by the Clallam County Treasurer in the same manner as delinquent real property taxes pursuant to RCW 17.10.240(1), if within thirty (30) days from the date of when the owner is sent notice of the lien, including the amount thereof, the lien remains unpaid and an appeal has not been made pursuant to RCW 17.10.180.

All liens created shall bear interest at the rate of twelve (12) percent per annum and such interest shall accrue as of the date notice of the lien is sent to the property owner.

5.28.050 Special fund.

There is hereby created in the treasury of Clallam County, the noxious weed control fund in which all taxes collected from the assessment herein levied shall be deposited and which shall only be used to support the activities of the Clallam County Noxious Weed Control Board. ~~In the interest of maintaining the best possible service at the lowest possible cost, the County will reduce program overhead by providing without charge, basic support, for the noxious weed control program. This support includes, but is not limited to, fiscal administration, office space, computer and phone service, and technical assistance as available.~~


5.28.060 Effective date.

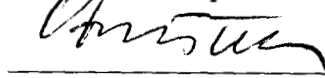
This assessment herein levied shall take effect as of January 1, 2000.

ADOPTED this seventeenth day of February, 2004.

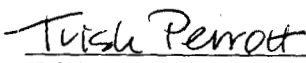
BOARD OF CLALLAM COUNTY COMMISSIONERS


Stephen P. Tharinger, Chair


Michael C. Chapman


Howard V. Doherty, Jr.

ATTEST:


Trish Perrott, Clerk of the Board