

FILE #101-2

NOTICE OF PUBLIC NUISANCE  
(Pursuant to Utah Code Annotated, §4-17-109)

COUNTY OF SAN JUAN,  
STATE OF UTAH

DATE: xx/xx/2024

Re: Property located in San Juan County, State of Utah, and described as follows:

(PROPERTY DESCRIPTION – SEE ATTACHED EXHIBIT)

To: [ ] Property Owner [ ] Party in Possession

Dear: XXXX

FIVE (5) WORKING DAYS HAVE PASSED SINCE THIS OFFICE MAILED OR DELIVERED TO YOU A NOTICE OF ACTION REQUIRING YOU TO TAKE ACTION TO CONTROL NOXIOUS WEEDS AND TO PREVENT THE WEEDS FROM GOING TO SEED ON THE PROPERTY DESCRIBED HEREIN.

YOU HAVE FAILED TO TAKE THE REQUISITE ACTION AS OUTLINED IN THE NOTICE OF ACTION WITHIN THE AUTHORIZED TIME PERIOD AND YOUR PROPERTY IS HEREBY DECLARED A PUBLIC NUISANCE PURSUANT TO §4-17-109, UTAH CODE ANNOTATED.

PLEASE BE ADVISED THAT YOU HAVE FIVE (5) WORKING DAYS FROM THE DATE HEREIN TO TAKE THE NECESSARY ACTION TO CONTROL THE NOXIOUS WEEDS AND TO CONTROL THEM FROM GOING TO SEED AS OUTLINED IN THE NOTICE OF ACTION OR THE COUNTY AFTER REASONABLE NOTICE, WILL ENTER THE PROPERTY, WITHOUT YOUR CONSENT AND PERFORM ANY WORK NECESSARY TO CONTROL THE WEEDS, CONSISTENT WITH SOUND WEED PREVENTION AND CONTROL PRACTICES.

IN THE EVENT THAT THE COUNTY IS REQUIRED TO CONTROLS WEEDS ON YOUR PROPERTY, THE COUNTY MAY SEEK REIMBURSEMENT FROM YOU THE PROPERTY OWNER OF RECORD OR THE PERSON IN POSSESSION OF THE PROPERTY. IN THAT EVENT, THE COUNTY SHALL SEND YOU A DOCUMENTED DESCRIPTION OF THE EXPENSE FOR LABOR AND MATERIALS SPENT TO BRING THE PROPERTY INTO COMPLIANCE AND A DEMAND FOR PAYMENT WITHIN 30 DAYS OF THE DAY ON WHICH THE WEED CONTROL TOOK PLACE.

YOU WILL BE REQUIRED TO REIMBURSE THE COUNTY FOR THE COUNTY'S EXPENSE WITHIN 90 DAYS AFTER RECEIPT OF THE DEMAND FOR PAYMENT.

IF THE DEMAND FOR PAYMENT IS NOT PAID WITHIN 90 DAYS AFTER RECEIPT, THE CHARGES BECOME A LIEN AGAINST THE PROPERTY AND ARE COLLECTIBLE BY THE COUNTY TREASURER AT THE TIME GENERAL PROPERTY TAXES ARE COLLECTED.

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THE FOLLOWING ACTION NEEDS TO BE TAKEN:

TO DESTROY OR CONTROL WITHIN FIVE (5) WORKING DAYS FROM THE DATE HEREIN ALL NOXIOUS WEEDS FOUND UPON YOUR PROPERTY AND TO PREVENT THEM FROM GOING TO SEED. METHODS OF PREVENTION OR CONTROL INCLUDE DEFINITE SYSTEMS OF TILLAGE, CROPPING, USE OF CHEMICALS, AND USE OF LIVESTOCK AS MAY BE ACCEPTABLE TO THE COUNTY.

KIND OF WEEDS: (Example: Canada Thistle & Field Bindweed)

HOW TO DESTROY OR ERADICATE:

Spraying (we recommend Tordon/2,4-D,Curtail) (Milestone for Thistles).

Mowing: This option is also possible if a future management plan is made.

The Weed District can spray for \$XX.00/hr plus chemicals of Tordon and 2, 4-D. We can offer a spray mix with Curtail and 2,4-D for a lower price on Thistles.

The SJCWCD will need to see chemical receipts for spraying done by owners.

A copy of this notice may be sent to the FSA Office for CRP land.

If you have any questions or need assistance, call the San Juan County Weed Control District at (435) 587-3223 or email at [ABC.org](http://ABC.org) and ask for XXX.

San Juan County, Utah Weed Control District:

XX XXX,

County Weed Inspector

NOTICE OF APPEAL RIGHTS

PURSUANT TO § 4-17-111, Utah Code Annotated: (1) Any person served with notice to control noxious weeds may request a hearing to appeal the terms of the notice before the county weed control board within 10 days of receipt of such notice and may appeal the decision of the county weed control board to the San Juan County Appeal Authority; (2) Any person served with notice to control noxious weeds who has had a hearing before both the county weed control board and the San Juan County Appeal Authority may further appeal the decision of said Appeal Authority by filing written notice of appeal with a court of competent jurisdiction.

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CERTIFICATE OF SERVICE

I HEREBY AFFIRM AND SWEAR THAT I delivered this Notice of Public Nuisance to the following people, I believe to be the owners of the herein described property and/or the party in possession on ~~XX/XX/202X~~, by the following methods :

hand delivering a copy to the  property owner  party in possession

\_\_\_\_\_  
Name:

mailing a copy by certified mail, via the United States Postal Service to \_\_\_\_\_,  
at the following address, \_\_\_\_\_

SERVER:

\_\_\_\_\_  
Name