

**MARYLAND DEPARTMENT OF AGRICULTURE
OFFICE OF PLANT INDUSTRIES AND PEST MANAGEMENT
WEED CONTROL SECTION**

50 HARRY S. TRUMAN PARKWAY
ANNAPOLIS, MARYLAND 21401
410-841-5871

JOHNSONGRASS
 SHATTERCANE
 THISTLE
 OTHER

Authority: Agriculture Article 9-405
Maryland Annotated Code

MODIFIED NOXIOUS WEED CONTROL AGREEMENT

Pursuant to a COOPERATIVE AGREEMENT between Caroline County, Maryland (“the County”) and the Maryland Department of Agriculture, (the “MDA”) dated August 1, 2013:

THIS AGREEMENT between _____, (the “LANDOWNER”) and the
(Landowner or Authorized Landowner’s Agent*)

MDA is entered into pursuant to Title 9 of the Agriculture Article of the Annotated Code of Maryland. By entering into this Agreement, the Landowner agrees to comply with Section 9-404(b) of the Agriculture Article, and understands the provisions set forth in Section 9-405 of the Agriculture Article, as follows:

Section 9-404(b) *Care of Infested Lands*

Each landowner, including a landowner of public land, or person who possesses and manages land infested with a noxious weed shall eradicate or control the noxious weed on that land by using practices that the Secretary prescribes, including mowing, cultivating, or treating with an approved herbicide.

Section 9-405 *Report of violations; prosecution; agreement between Secretary and landowner for eradication and control*

Each failure to comply with the provisions of this subtitle shall be reported to State’s Attorney for the county in which violation occurs. The State’s Attorney shall prosecute all violations and bring an action to enjoin any nuisance. However, a land owner or other person who possesses and manages the land may enter into a written agreement with the Secretary which sets forth a program for the eradication or control of a noxious weed, and if all the terms and conditions of the agreement are met, there is no violation of this subtitle as to the land covered by the agreement.

[Agreement set forth on next page.]

IT IS MUTUALLY AGREED that the LANDOWNER and the MDA include the land identified below as those covered by Section 9-404(b) and subject to the provisions of Section 9-405 of Title 9 of the Agriculture Article of the Annotated Code of Maryland:

FARM/PROPERTY	LOCATION	FSA# and Lot/Parcel
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____

FAILURE TO IMPLEMENT THE PRACTICES PRESCRIBED BY THE SECRETARY OR HIS AGENT IS A VIOLATION OF THESE SECTIONS AND COULD RESULT IN LEGAL ACTION AGAINST YOU.

THE LANDOWNER FURTHER AGREES to the following TIMING OF CONTROL PRACTICES:

- Johnsongrass shall be controlled before seed formation.
- Shattercane shall be controlled before seed formation.
- Thistles shall be controlled before full flower.

I AGREE TO PARTICIPATE WITH CAROLINE COUNTY WEED CONTROL PROGRAM. I AGREE TO PAY FOR SERVICES RENDERED PER THE PROGRAM'S BILLING PROCEDURES. I RELEASE THE COUNTY COMMISSIONERS OF CAROLINE COUNTY, THEIR AGENTS AND ASSIGNS, FROM ANY AND ALL LIABILITY ASSOCIATED WITH THE APPLICATION OF HERBICIDES ON PROPERTY OWNED OR MANAGED BY ME.

SIGNATURE DATE

COUNTY WEED COORDINATOR DATE

M.D.A. WEED CONTROL DATE

*** IF THIS AGREEMENT IS ENTERED INTO BY A LANDOWNER'S AGENT, THEN SAID AGENT SHALL HAVE CONSENT BY THE LANDOWNER AS EVIDENCED BY THE CAROLINE COUNTY WEED COORDINATOR.**