

CHECKLIST FOR COUNTY REMEDIAL ACTION ENFORCEMENT

Check each step to conduct a legal enforcement.

Section-Page #

- * 1. () County Weed and Pest Board has probable cause to believe that an infestation of statewide or local noxious weed / declared pest exists on the property. (SDCL 38-22-23.12)
 - 1a. () County has published legal notice and affidavit of publication is on file. (SDCL 38-22-23.12) *Obtain affidavit from publisher*.....**I-98**
 - 1b. () Documentation of probable cause is on file.....**I-100 or I-101**
 - 1c. () A signed and dated Inspection Report is on file confirming an infestation exists.....**I-102**
- ** 2. () Infestation is a statewide or locally noxious weed / declared pest.
- ** 3. () Landowner has been contacted in writing requesting voluntarily control.
 - 3a. () A copy of the correspondence is on file.....**I-103**
- ** 4. () Landowner has been personally contacted and verbally requested to voluntarily control . **OPTIONAL**
 - 4a. () A signed and dated copy of the follow up Inspection Report is on file.....**I-102**
- ** 5. () Landowner has refused to voluntarily control.
 - 5a. () A signed and dated copy of the follow up Inspection Report is on file.....**I-102**
- * 6. () County Weed and Pest Board has officially issued and served a Declaration of Infestation and Notice of Declaration of Infestation on landowner.
 - 6.a () Signed copies of the Declaration of Infestation, Notice of Declaration of Infestation, and Board minutes are on file. (SDCL 38-22-23.13).....**I-104-105 and I-106-107**
 - 6b. () Proof of Service is on file. (Certified letter return receipt or Sheriff's notice)
- * 7. () Landowner has refused to voluntarily control before date given on Notice of Declaration of Infestation. (SDCL 38-22-23.14)
 - 7a. () A signed and dated copy of the follow up Inspection Report is on file. (SDCL 38-22-23.14).....**I-102**
 - 7b. () Landowner has been contacted and informed that control work will be done..... ---
- * 8. () Control work (if pesticides are used) must be completed by certified, licensed commercial applicator. (SDCL 38-21)
 - 8a. () Copies of all application and work records are on file..... ---
 - 8b. () All expenses have been certified to the County Auditor and paid.....**I-109 and I-110** (or appropriated from county budget) (SDCL 38-22-23.14)

* - Denotes South Dakota Statutes
 ** - Denotes Weed & Pest Control Commission Policies