Legal procedures for dealing with noxious weeds
in Ohio’s rural areas

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Noxious weeds can create many negative impacts, such as loss of crop productivity, harm to animals, and invasion of yards and natural ecosystems. Ohio law offers mechanisms for dealing with noxious weeds, but the legal mechanisms differ depending upon the location of the noxious weeds. These diagrams summarize the legal procedures for addressing noxious weeds in four locations: along a roadway, in a partition fence row, on private land beyond the fence row, and on park land.

For additional explanation of Ohio’s noxious weed laws, see our law bulletin on Ohio’s Noxious Weeds Laws, available in the Farm Office law library on farmoffice.osu.edu.

1. Noxious weeds along roadways and railroads
Ohio Revised Code 5579.04, 5579.08 and 4959.11

- Counties, townships and municipalities must cut or destroy noxious weeds growing along roads and streets within their jurisdictions in each of these date windows:
  - June 1 and 20
  - August 1 and 20
  - September 1 and 20, if necessary
  - And whenever necessary to prevent or eliminate a safety hazard

- A railroad or toll road superintendent or manager must follow this same schedule for cutting or destroying noxious weeds, even if the road or railway is not in operation.

- If a toll road or railroad does not cut or destroy noxious weeds by the mandated times, the township trustees may cause removal of the weeds and bring a civil action against the company to recover removal costs.
2. Noxious weeds in the fence row  
Ohio Revised Code 971.33 to 971.35

- Notice given by an adjoining landowner to clear the fence row of noxious weeds and brush within 4 feet of partition fence.
- If owner fails to clear in 10 days, adjoining landowner may notify trustees of the presence of noxious weeds.
- Trustees shall view fence row to determine if there is "just cause" to clear the row of noxious weeds.
- If just cause exists, trustees shall order the work done by lowest bidder and assess costs to landowner’s property taxes.

3. Noxious weeds on private land beyond the fence row  
Ohio Revised Code 5579.05—5579.07

- Township trustees receive written notice of noxious weeds on private property.
- Trustees notify owner to destroy weeds or show cause why there is no need for doing so.
- If owner does not take action within 5 days of notice, trustees must cause weeds to be cut or destroyed.
- Costs are assessed on owner’s property tax bill.

4. Noxious weeds on ODNR or park land  
Ohio Revised Code 5579.06

- Township trustees receive notification of noxious weeds on ODNR or park land.
- Trustees notify county Extension Educator.
- Within 5 days, Educator meets with land representative to consider ways to deal with the problem.
- Within same 5 days, Educator shares findings and recommendations with trustees.