

**CHAPTER 63-05
CUTTING WEEDS AND GRASSES ON HIGHWAYS**

63-05-01. Landowners or operators along county and township highways to cut weeds and grasses.

It is the duty of landowners or operators with land adjoining regularly traveled county and township highways, as designated by the township board of supervisors in organized townships, the board of county commissioners in unorganized townships, and the board of county commissioners in the case of county highways, to cut all weeds and grasses along the regularly traveled highways adjoining their lands, including weeds and grasses growing within the public right of way bordering the highways and their lands. The cutting shall be completed not later than September fifteenth or October first, as prescribed by the board of county commissioners. The board of county commissioners may also, if necessary, require an additional cutting be completed by August first.

63-05-02. Designation of time for cutting - Notice.

The board of county commissioners of each county shall prescribe the time for cutting of the weeds and grasses, prescribe the height of stubble to be left and the minimum width of the cuts, designate the county highways along which weeds and grasses shall be cut, and request the board of township supervisors to designate township roads along which weeds and grasses shall be cut. The board of township supervisors shall make the designation, and the board of county commissioners shall publish notice of the designated highways, the time for cutting, and the height of stubble to be left and the minimum width of cut in the official county newspaper at least twice, and the last publication must appear not less than two weeks prior to the deadline date. If no official newspaper is published in the county, written notice must be given by posting, in the same manner as election notices are posted. Expenses incurred in publishing the notice must be paid from funds provided in section 63-01.1-06 by the board of county commissioners.

63-05-03. Failure to cut weeds and grasses - Expenses levied as taxes against land.

If the landowner or operator fails to cut the weeds and grasses along the designated highways or roads as provided in this chapter, the board of township supervisors or the board of county commissioners, as the case may be, may cause the weeds and grasses to be cut and the actual expense of cutting shall be certified to the county auditor, and all of the expenses shall be charged against the land of the landowner and shall become a part of the taxes to be levied against the land for the ensuing year and shall be collected in the same manner as other real estate taxes are collected, and placed to the credit of the respective subdivisions entitled thereto.

63-05-04. Definition of operator.

As used in this chapter, the word "operator" means a person chiefly responsible for the farming or other operations being performed on the land, whether for that person's own benefit or for the benefit of the landowner or another.