

### **317.16 Failure to comply.**

1. In case of a substantial failure to comply by the date prescribed in any order of destruction of weeds made pursuant to this chapter, the weed commissioner may do any of the following:

*a.* Enter upon the land as provided in section 317.6 and provide for the destruction of the weeds as provided in section 317.6.

*b.* Impose a maximum penalty of a ten dollar fine for each day, up to ten days, that the owner or person in possession or control of the land fails to comply. If a penalty is imposed and the owner or person in possession or control of the land fails to comply, the weed commissioner shall cause the weeds to be destroyed.

2. If the weed commissioner enters the land and causes the weeds to be destroyed, the actual cost and expense of cutting, burning, or otherwise destroying the weeds, along with the cost of providing notice and special meetings or proceedings, if any, shall be paid by the county and, together with the additional assessment to apply toward costs of supervision and administration, be recovered by an assessment against the tract of real estate on which the weeds were growing, as provided in section 317.21. Any fine imposed under this section shall be recovered by a similar assessment.

[S13, § 1565-c, -d; C24, 27, 31, 35, § 4823; C39, § **4829.16**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 317.16]

83 Acts, ch 123, § 121, 209; 85 Acts, ch 171, §4; 2005 Acts, ch 39, §2