

Covenants of Record Required – From Subdivision Regulations Section 6 Part P

The Subdivider/Landowner shall ensure that after Final Plat approval the Property Owner(s) and/or Property Owners' Association shall be responsible for the control of State and County declared noxious weeds by placing the following Covenant on the property:

“The control of noxious weeds by the Property Owner's Association on those areas for which the Association is responsible (right(s)-of-way, easement(s), parks, and any other common areas) and the control of noxious weeds by individual owners on their respective lots shall be as set forth and specified under the Montana Noxious Weed Control Act (MCA 7-22-2101 through 7-22-2153) and the rules and regulations of the Gallatin County Weed Control District.

The control of Noxious Weeds is the responsibility of the Property Owner whether the lot is improved or unimproved, and shall be as set forth and specified under the Montana Noxious Weed Control Act (MCA 7-22-2101 through 7-22-2153 as amended) and the rules, regulations and management Plans of the Gallatin County Weed Control District.

The Property Owner shall be responsible for the control of state and county-declared noxious weeds on his or her lot, and the Subdivision road right-of-way and/or road easement(s) adjoining their property. In the event a Property Owner does not control the noxious weeds, after 10 days notice from the Property Owners Association, the Association may cause the noxious weeds to be controlled. The cost and expense associated with such weed management shall be assessed to the lot and such assessment may become a lien if not paid within thirty (30) days of the mailing of such assessment.

Nothing herein shall require or obligate the Gallatin County Weed District to undertake any management or enforcement on behalf of the Property Owners Association or Property Owners that is not otherwise required by law, or the rules, regulations, and management Plans of the Gallatin County Weed District.”

For Subdivisions without a Property Owner's Association and no common areas:

The control of Noxious Weeds is the responsibility of the Property Owner and his or her Lot, and the Subdivision road right-of-way and/or road Easement(s) adjoining their property whether the Lot is improved or unimproved, and shall be as set forth and specified under the Montana Noxious Weed Control Act (MCA 7-22-2116 as amended) and the rules, regulations, and management Plans of the Gallatin County Weed Control District.