

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON**

IN THE MATTER OF:

RESOLUTION NO. 20-161

APPROVING A NO-SPRAY AGREEMENT AND FEE

WHEREAS, the Lewis County Public Works maintains approximately 1,050 miles of roadway and part of the maintenance program includes the spray program, which is designed to protect our right-of-way from noxious weeds and help protect our road surfaces from being inundated with vegetation. Uncontrolled brush and weeds can become visual obstructions for drivers; our spray program works in conjunction with mowing, brush cutting and canopy clearing to help keep our roads safe; and

WHEREAS, RCW 17.21.430 states that our spray applicators must make contact with a registered sensitive person when applying spray to the right-of-way adjacent to their property. RCW 17.21.420 explains some of the process required to obtain that designation; and

WHEREAS, property owners may request a No-Spray Agreement from Lewis County for parcels adjacent to county roadways; and

WHEREAS, Lewis County Public Works will assess a fee of \$300 upon approval of a requested No-Spray Agreement. The fee will cover the cost of the time and materials for the purchase and installation of two (2) No-Spray signs and processing the executed No-Spray Agreement. The Agreement applicant will become responsible for maintaining the vegetated area within the county Right-of-Way along their property. If the applicant fails to maintain in accordance with the terms of this Agreement, Lewis County Public Works will maintain the area as needed including mowing and/or spraying; and

WHEREAS, this Agreement must be renewed annually, on or before February 1 of the next year. An administrative fee of \$25 will be charged for processing the renewal. If an agreement is not renewed by February 1, it will expire; and

WHEREAS, No-Spray Agreements are non-transferable. In the event the property ownership changes, the Agreement will become void at the time of new ownership; and

WHEREAS, the proposed No-Spray Agreement and fee is just, fair, reasonable, and sufficient for Lewis County Public Works to provide this service to the public.

NOW THEREFORE BE IT RESOLVED the Board of County Commissioners approves the new No-Spray Agreement and agreement fee of \$300.

DONE IN OPEN SESSION this 18th day of May, 2020.

APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

Amber Smith
By: Amber Smith,
Deputy Prosecuting Attorney

Gary Stamper
Gary Stamper, Chair

ATTEST:



Edna J. Fund
Edna J. Fund, Vice Chair

Rieva Lester
Rieva Lester,
Clerk of the Lewis County Board of County
Commissioners

Robert C. Jackson
Robert C. Jackson, Commissioner