

FREMONT COUNTY WEED MANAGEMENT DO NOT SPRAY POLICY

Revised 2026

Original policy issued March 16, 2020

1. Policy Statement

Fremont County Weed Management (FCWM) uses an integrated approach to manage noxious weeds throughout Fremont County and follows applicable standards and regulations of the Colorado Department of Agriculture and the Colorado Noxious Weed Act.

FCWM allows eligible property owners or lessees to request responsibility for managing noxious weeds within the county right-of-way adjoining their property in lieu of routine County herbicide treatment. Management must remain consistent with the Fremont County Noxious Weed Management Plan and applicable law.

2. Policy Objective

The objective of the Do Not Spray program is to allow property owners or qualifying lessees to manage noxious weeds within the county right-of-way adjoining their property using management methods that meet their agricultural or land-management goals, while ensuring that designated noxious weeds continue to be managed as required.

3. Definitions

- **Noxious Weeds:** Invasive plant species designated for eradication, suppression, or control by the Colorado Department of Agriculture under the Colorado Noxious Weed Act, C.R.S. § 35-5.5-101 et seq.
- **Integrated Pest Management:** An economical approach to pest management that uses a combination of appropriate practices while considering risks to people, property, and the environment.
- **Property Owner:** An owner of property within Fremont County that adjoins the applicable county right-of-way.
- **Lessee:** A person occupying or managing property owned by another person under an agreement with the property owner and who has authority to manage the applicable property or right-of-way area.
- **Right-of-Way:** A county-owned or county-controlled public road right-of-way, whether established through easement, right-of-way deed, plat or survey dedication, prescriptive use, or other lawful means.
- **Do Not Spray Area:** The approved portion of county right-of-way adjoining a participating property that is identified by the application and required signage and for which the participating property owner or lessee assumes noxious weed management responsibility.

4. Standard Operating Procedure

A. Eligibility and Responsibility

FCWM is responsible for managing designated noxious weeds along county rights-of-way as required by the Colorado Noxious Weed Act and the Fremont County Noxious Weed Management Plan.

A property owner or qualifying lessee who participates in the Do Not Spray program assumes responsibility for managing noxious weeds within the approved Do Not Spray Area. Participation applies only to the approved county right-of-way area and does not affect treatment on private property.

Participants must manage noxious weeds in accordance with the Fremont County Noxious Weed Management Plan, maintain required signage, and submit a new request each calendar year.

B. Annual Request and Approval

- A Do Not Spray Request Application must be submitted to and approved by FCWM each year.
- An approved request is valid from January 1 through December 31 of the applicable calendar year, regardless of the date of approval.
- A separate application is required for each parcel included in the program.
- The application must contain sufficient information to identify the property and requested Do Not Spray Area, including the County Assessor parcel number, property and contact information, the applicable county road, and other information requested by FCWM.
- The application must be signed by the property owner or qualifying lessee, acknowledging the responsibilities and requirements of the program.
- Submission of an application does not by itself place a property on the Do Not Spray list. The request must be approved by FCWM.

C. Posting Requirements

After approval, the participating property must be posted with clearly visible DO NOT SPRAY signs identifying the beginning and end of the approved area.

- Signs must be posted near the right-of-way without encroaching into the road right-of-way or interfering with normal road maintenance or traffic.
- Signs must be posted at each end of the approved property area along the roadway. County weed treatment operations will stop at the first sign and may resume immediately after the last sign.
- Signs must be clearly visible to approaching traffic.
- Signs must be mounted at least 36 inches above the ground and kept free of vegetation or other visual obstructions.
- Signs and lettering must be large enough to be visible from at least 20 yards away.
- Signs must be maintained throughout the applicable treatment season to ensure continued visibility.
- Signs must not be attached to utility poles, traffic-control signs, or County infrastructure.

D. Records, Monitoring, and Mapping

Approved applications will be maintained on file by FCWM. FCWM may maintain records of site visits, monitoring, mapping, weed species, treatment observations, and other program information as needed.

FCWM may monitor or inspect participating rights-of-way during the growing season to evaluate noxious weed management and compliance with program requirements. Mapping or other recordkeeping tools may be used as appropriate to document locations, species, and monitoring information.

5. Termination of Do Not Spray Approval

A Do Not Spray approval may be terminated when:

- Inspection or monitoring indicates that required noxious weed management is not being performed or is not producing adequate management results.
- Noxious weeds are not being managed in a manner consistent with environmental or human health considerations.
- Required signage is not properly installed, visible, or maintained.
- The property owner or lessee requests removal from the Do Not Spray list.
- Other requirements of this policy or the Fremont County Noxious Weed Management Plan are not met.

Upon termination, FCWM may resume herbicide treatment or other appropriate weed management operations within the county right-of-way as needed. Failure to comply with program requirements may result in treatment resuming without further notice.

6. References

- Fremont County Noxious Weed Management Plan
- Colorado Noxious Weed Act, C.R.S. § 35-5.5-101 et seq.
- C.R.S. § 35-5.5-104
- C.R.S. § 35-5.5-108

7. Contact Information

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