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| A BILL FOR AN ORDINANCE CREATING | ) | Ordinance Bill No. **6** |
| THE LEBANON INVASIVE WEEDS CONTROL | ) | for 2006 |
| ORDINANCE, A NEW CHAPTER 8.13 OF THE | ) | |
| LEBANON MUNICIPAL CODE | ) | Ordinance Number **2697** |

WHEREAS, the Lebanon City Council finds that it is necessary and in the best interests of the safety, health and welfare of the citizens of the City of Lebanon to provide for local control of invasive weeds;

NOW, THEREFORE, THE CITY OF LEBANON DOES ORDAIN AS FELLOWS:

Section 1. **Findings**. The City Council finds that it is necessary to keep invasive species of plants and weeds out of the city, finds that the protection of the public health requires the city prevent the invasions of such weeds before they can establish permanent footholds, and further that the city should do whatever is necessary to eradicate populations of undesirable weed species. The council further finds that state and federal regulations are not sufficient to deal with invasive weeds within the city and that exclusion, early detection and rapid response are the most cost-effective ways of dealing with invasive weeds. While the federal and state government have declared noxious and invasive weeds to be a menace to the public welfare, the city finds that its role in controlling invasive weeds includes active participation and involvement.

Section 2. **Declaration of Nuisance**. Noxious and invasive weeds are hereby declared to be a public nuisance for purposes of the enforcement code of this Lebanon Municipal Code, Chapter 8.03. Property owners who possess, grow, transport or fail to control noxious or invasive weeds on property owned or controlled by persons within the city limits are in violation of this chapter.

Section 3 The state of Oregon and the Federal government have declared certain species of weeds to be noxious and invasive. In addition to those listings, and by way of supplement without limitation, the City Council hereby declares the species of plants contained in Exhibit "A", attached hereto and incorporated by this reference as if fully set forth at this point, to be invasive or noxious weeds and public nuisances for the purposes of this ordinance.

Section 4 In the event that the listing of any of the species of plants hereby declared to be public nuisance should contradict state of federal law, the state or federal listing shall prevail. However, in such event, any prior prosecutions for public nuisance having been previously commenced at such time of a conflict in listings shall remain in effect.

Section 5 To whatever extent allowed by law, the Lebanon Municipal Court shall have jurisdiction to hear and decide cases brought before it under the provisions of this ordinance and the Enforcement Code of the Lebanon Municipal Code, Chapter 8.03.

Section 6 **Penalties.** Violators of this ordinance shall be subject to the fines and enforcement provisions set forth in Chapter 8.03 of the Lebanon Municipal Code.

Section 7. **Severability.** Invalidity of a section or part of a section of this Ordinance shall not affect the validity of the remaining section or parts of sections.

Passed by the City Council on the 8th day of February, 2006 by a vote of 6 for and 0 against.

Kenneth I. Toombs
Mayor

ATTEST:

City Recorder

**INVASIVE WEEDS, EXHIBIT "A"**

## Aquatic Plants

African waterweed, *Lagarosiphon major*: Native to South Africa and sold as an oxygenating plant for aquaria and ponds. Discovered in Britain in 1944. Forms thick mats that displace native species.

caulerpa seaweed, *Caulerpa taxifolia*: A green algae native to tropical seas. Escaped from a Monaco Oceanographic Museum in 1984 and now blankets many thousands of acres of the Mediterranean. Two populations in California are under eradication. Water temperatures on the south coast would support this species. Not known from the wild in Oregon, though it is a popular aquarium species.

cordgrasses, *Spartina spp.*: Native to the East Coast, these grasses colonize mudflats and convert them to saltmarshes. Intoduced to Willapa Bay, WA in 1894, now infesting approximately 25,000 acres there. Also established in Puget Sound and San Fransisco Bay. An infestation in Tillamook Bay was eradicated; a Cox Island infestation is still under eradication. Mudflats are critical for many types of shellfish and birds.

dead man's fingers, *Codium fragile tomentosoides*: This subspecies is probably Japanese in origin. It has invaded the north Atlantic, Mediterranean, Austrialia, New Zealand and San Francisco Bay. Historically, new outbreaks have been associated with trade of oysters and shellfish. Displaces native species.

European water chestnut, *Trapa natans*: Native to Eurasia, introduced to Australia and northeastern North America. Dense surface mats impede boating and displace native species. Spiny fruits are hazardous to bathers.

giant salvinia, *Salvinia molesta*: Native to Brazil, discovered in 1998 in the U.S. and now found in seven states including California. Grows rapidly and forms dense mats that interfere with recreation, irrigation, drainage, etc. Also shades native vegetation and reduces dissolved oxygen. Sold as a pond plant and transported on boats and trailers.

golden algae, *Prymnesium parvum*: Releases a toxin that causes fish kills in Europe and the Middle East. Now established in the U.S. Caused large fish kills in

Texas in 2001.

hydrilla, *Hydrilla verticillata*: Imported from Asia in the 1950's for use in aquariums, introduced to the wild in Florida. Now established in several states including Washington and California. Clogs irrigation and drainage canals, interferes with recreation, displaces native vegetation and damages sportfish populations. Transported on boats and trailers.

toxic cyanobacteria, *Cylindrospermopsis raciborskii*: Cosmopolitan bluegreen algae that produces a toxin implicated in a range of animal and human health issues.

yellow floating heart (*Nymphoides peltata*): Native to Eurasia and the Mediterranean region, this perennial resembles water lilies, but is capable of crowding out other plants and carpeting the water surface. Sold as an ornamental for water gardens. Reported from a park in Beaverton in 2004.

**Land Plants**

African rue, *Peganum harmala*: Native to northern Africa, the Middle East and southwest Asia. African rue was introduced into the United States in 1928 to New Mexico. It is now established along roads and dry rangelands in western Texas, New Mexico, Arizona, and California. In the northwest sites have been detected in two counties in Washington and one site found in 1967 in Crook County, Oregon which is currently subject to an eradication effort. This invasive weed is extremely drought tolerant and has toxic alkaloids that can cause poisoning to cattle and sheep.

camelthorn, *Alhagi pseudalhagi*: This is a weedy perennial shrub that is native to the Mediterranean region and western Asia. Camethorn is an invasive plant that is very difficult to control. It aggressively invades disturbed areas, dry land areas and the spiny nature of the plant causes injury to livestock, wildlife and humans. It has been detected in both Nevada and Washington. Not currently known from Oregon.

cape ivy, *Senecio mikanioides*: A South African weed spreading in coastal California. Three small infestations are known from southwestern Oregon.

coltsfoot, *Tussilago farfara*: A low growing perennial native to Europe, northern Africa, and parts of Asia. Found occasionally in the Pacific Northwest associated with ornamental plantings. It is a weed of agriculture fields, roadsides, and wastelands of eastern Canada and northeastern states.

giant hogweed, *Heracleum mantegazzianum*: Native to Asia, introduced to Europe and the U.S. in the twentieth century as a curiosity in arboretums and private gardens. It soon escaped and became naturalized in many surrounding riparian and urban sites. In the northwest extensive infestations occur in northern Washington and the first site was detected in Oregon in 2001 and there are now an estimated 86 sites primarily located in the Portland Metro area of northwest Oregon. This plant is also a human health concern because toxic sap can cause severe skin blistering and scarring.

giant reed grass, *Arundo donax*: A large bamboo-like weed, now problematic in California.

goatgrasses, (barbed, ovate), *Aegilops triuncialis, A. ovata*: Eurasian species that readily cross with wheat causing lowered quality. An infestation of barbed goatgrass was discovered near a bridge construction site in Cave Junction in 2003; an eradication program was implemented.

hawkweeds, (king-devil, meadow, mouse-ear, orange, yellow), *Hieracium piloselloides, H. pratense, H. pilosella, H. aurantiacum, H. floribundum*: A complex of five species, hawkweeds are very weedy and invasive in the United States. They are perennial herbs with fibrous roots that reproduce both by seeds and root fragments. All five species are native to central and northern Europe. This hawkweed complex has been weedy in the eastern U.S. and Canada and more recently has become a major problem in Montana, Idaho, Washington and Oregon. This hawkweed complex impacts pastures, abandoned farm land and mountain meadows. There are currently limited infestations in northeast and northwest Oregon.

kudzu, *Pueraria lobata*: This weed is a native to Asia and is a major invasive weed of the southeastern United States where it has been documented to grow up to one foot per day and covers an estimated seven million acres. This vine

overtops and smoothers mature trees and other desirable vegetation and man-made structures. In 2000, two sites were detected in Oregon, the first detections west of the Mississippi. In 2001, two additional kudzu sited were detected, one in Oregon and one in Washington. Kudzu was widely promoted in the southern U.S. for erosion control in the 1930's and 40's. The known sites in Oregon have been treated, but there may be others as yet undetected.

matgrass, *Nardus stricta*: This is a stiff-leaved perennial grass that is regarded as a weed in its native range in Europe. It is a species of low palatability and is difficult to control. Matgrass has the potential to outcompete desirable grasses in pastures and rangeland. There is only one known infestation in Oregon located in Klamath County near Fort Klamath. This site has been under treatment by the landowner, Klamath County and the Oregon Department ofAgriculture since the 1970's in an effort to eradicate this weed.

mile-a-minute weed, *Polygonum perfoliatum*: A fast-growing vine spreading in mid-Atlantic states. One early record from Oregon indicates that an introduction did not result in a permanently established population.

Paterson's curse, *Echium plantagineum*: Native to western Europe and the Mediterranean region, this weed is problematic in Australia. It was discovered in a roadside wildflower planting near Lebanon in 2003; a second site was discovered in Douglas County in 2004. Both infestations are under eradication.

Portugese broom, *Cytisus striatus*: A weed similar to Scotch broom but it grows larger in Oregon. Populations in Douglas County have been put under a containment/eradication treatment program.

purple nutsedge, *Cyperus rotundus*: Purple nutsedge was introduced from Eurasia and is often called the "world's worst weed." It is commonly found in Arizona and southern California, in turf, ornamentals, cultivated fields, and ditch banks. It is not established in Oregon.

silverleaf nightshade, *Solanum elaegnifolium*: Is a native to the southwestern United States and northern Mexico. Silverleaf nightshade is a problem weed in both in its native range and in other semiarid regions of the world, including

Australia, Egypt, Greece, India, Israel, Rhodesia, South Africa and Sicily. There are twenty-one states that have declared it a noxious weed due to its toxicity, reduction in crop yields and its ability to serve as an alternate host to pests and diseases. In the northwest, infestations occur in Idaho and Washington and it has been detected in Oregon though there are not any current known infestations.

skeletonleaf bursage, *Ambrosia tomentosa*: This weed is a native to the south central Great Plains of the United States. It is a long-lived perennial that reproduces both by seeds and adventitious shoots. It is a problem in croplands of southern Idaho and one infestation has been detected in Washington. It has not been detected in Oregon.

squarrose knapweed, *Centaurea virgata*: This weed is a long-lived perennial and is native to southwest Asia and the Middle East. It became weedy in northern California and in the 1950's and was associated with rangeland sheep production. In 1988, it was detected in Grant County Oregon and infests a 600 acre area. Another small site was detected in Malheur County; both sites are under intensive control. A third site was detected in Jefferson County in 2003.

starthistles (Iberian, purple), *Centaurea iberica, C. calcitrapa*: Purple starthistle is native to the Mediterranean region, southern Europe and northern Africa and is very similar to Iberian starthistle. Both species infest range, pasture and roadsides in the northwest. These plants are very invasive and have sharp rigid spines that exclude humans and grazing animals. There are populations in California and limited infestations in Washington. In Oregon, there have been reports in both Jackson and Sherman counties where it was eradicated. An infestation detected in 1990 in a Clackamas County pasture is currently under intensive control with the goal of eventual eradication.

Syrian bean-caper, *Zygophyllum fabago*: This weed is a long-lived perennial and is native to southwest Asia and the Middle East. This is an invasive plant of rangelands and forms large bushes three feet or more across. In the United States, infestations occur in Washington, Idaho, California and Colorado. Currently there are no sites reported in Oregon.

Texas blueweed, *Helianthus ciliaris*: This weed is a creeping perennial and is a

native to the southwestern United States and can be found in both cropland and disturbed areas. Texas blueweed has spread into Kansas and California. Infestations occur in Idaho and Washington. There are no reported sites in Oregon.

thistles (plumeless, smooth distaff, woolly distaff), *Carduus alanthoides, Carthamus baeticus, Carthamus lanatus*: Plumeless thistle is a winter annual or biennial plant that can be very invasive in rangelands. This thistle is a native to Europe and Asia and is found in pastures, stream valleys and roadsides in Idaho, Colorado and Wyoming. In Oregon it is only known to occur in Grant County where it is under intensive treatment. Woolly distaff thistle is a winter annual native to the Mediterranean region of Europe. It is extremely invasive in pasture and range areas of Australia and in California. In Oregon, it has only been reported in Douglas and Josephine counties where it is thought to have been introduced from California via livestock. The Oregon infestations are under intensive control and populations have been reduced by an estimated 95 percent over the last 15 years. Smooth distaff thistle, another winter annual, is native to the Mediterranean region of Europe; it has not been reported in Oregon.