



Committee: T&E
Committee Review: At a future date
Staff: Livhu Ndou, Senior Legislative Attorney
Purpose: To introduce agenda item – no vote expected

AGENDA ITEM #1(J)
June 17, 2025
Introduction

SUBJECT

Bill 26-25, Vegetation – Invasive Plants

Lead Sponsor: Councilmember Glass

Co-Sponsors: Council President Stewart and Councilmember Luedtke

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- To introduce agenda item – no vote expected

DESCRIPTION/ISSUE

Bill 26-25 will exempt native plants and grasses from weed removal requirements and prohibit the sale of invasive bamboo.

SUMMARY OF KEY DISCUSSION POINTS

- Bill 26-25 will exempt native plants and grasses from weed removal requirements.
- Bill 26-25 will also prohibit the sale or offer for sale of invasive bamboo in the County.
- Native species will be defined as from the Mid-Atlantic Region, which includes Maryland, Virginia, Delaware, New Jersey, New York, Pennsylvania, North Carolina, West Virginia, and the District of Columbia.
- This bill is part of the Native Plant Protection Act, which includes ZTA 25-10, Landscaping Requirements – Native Plants.
- A public hearing is tentatively scheduled for July 22, 2025.

This report contains:

Bill 26-25

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Bill No. 26-25
Concerning: Vegetation – Invasive Plants
Revised: 5/8/2025 Draft No. 1
Introduced: June 17, 2025
Expires: December 7, 2026
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: _____
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Glass
Co-Sponsor: Council President Stewart and Councilmember Luedtke

AN ACT to:

- (1) regulate weeds and invasive bamboo in the County;
- (2) exempt native species from the requirements for weed removal;
- (3) prohibit, and provide penalties for, selling invasive bamboo; and
- (4) generally amend the laws regarding vegetation in the County.

By amending:

Montgomery County Code
Chapter 58
Article I
Sections 58-1, 58-2, 58-3, 58-4, 58-5, 58-6 and 58-7

By adding:

Montgomery County Code
Chapter 58
Article II
Sections 58-8, 58-9 and 58-10

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec 1. Sections 58-1, 58-2, 58-3, 58-4, 58-5, 58-6, and 58-7 are amended**
 2 **and Sections 58-8, 58-9, and 58-10 are added as follows:**

3 **Chapter 58. [Weeds] Vegetation**

4 **Article I. Weeds and Invasive Plants.**

5 **58-1. Definitions.**

6 In this Chapter, these words have the following meanings:

7 *Director*[: The] means the Director of the Department of Housing and
 8 Community Affairs or the Director's designee.

9 *Native plants and grasses* means vegetation that is native to the Mid-Atlantic
 10 region, which includes Maryland, Virginia, Delaware, New Jersey, New York,
 11 Pennsylvania, North Carolina, West Virginia, and the District of Columbia.

12 *Subdivision*[: Any] means any land which is on a subdivision plat approved
 13 under Section 50-8. A copy of the subdivision plat is prima facie evidence that
 14 the land on the plat is in a subdivision.

15 *Weed*[: Poison] means poison ivy; ragweed; kudzu; Canada, musk, nodding,
 16 plumeless, and bull thistles; Johnsongrass; Palmer amaranth; shattercane; tall
 17 waterhemp; any plant, except another thistle, identified as a noxious weed under
 18 State law; and any other plant which the Director finds by regulation endangers
 19 public health or safety if allowed to grow unchecked.

20 **58-2. Regulations.**

21 The County Executive may adopt regulations under [method] Method (2) to
 22 administer this Chapter.

23 **58-3. Duty of landowners and persons in charge of land.**

24 An owner, lessee, agent, and any other person in charge of land in a subdivision
 25 or within 100 feet of a subdivision must not allow:

26 (a) [The] the generalized growth of any weed; and

- (b) [Any] any generalized plant growth more than 12 inches high within 15 feet of any property boundary. Generalized plant growth does not include trees, ornamental shrubs, flowers, native plants and grasses, or garden vegetables.

58-4. Notice.

- (a) If the owner, lessee, agent, or person in charge fails to comply with section 58-3, the [director] Director may:
- (1) [Notify] notify the owner in writing of the conditions existing on the land and the requirements of this chapter; and
 - (2) [Direct] direct the owner to comply with section 58-3 within 10 days after receiving the notice.
- (b) The notice may be personally served or may be mailed to the address of the owner shown on the assessment records of the County.

58-5. Removal by County.

- (a) If the owner to whom a notice issued under section 58-4 is directed does not comply within 10 days, the [director] County may:
- (1) remove any generalized growth of weeds; or
 - (2) cut any generalized plant growth within 15 feet of the boundary of the land.
- (b) If the [director] County removes any generalized growth of weeds or cuts any generalized plant growth, the landowner must pay the reasonable cost. The [county] County may collect the cost:
- (1) as a lien against the land on the property tax bill; or
 - (2) in any other way legally available for collection of debts owed the County.

58-6. [Reserved] Appeals.

(a) Any person aggrieved by an action of the Director under this Chapter may appeal to the Board of Appeals within 10 days after the date of notice of the violation.

(b) Any party may seek judicial review of a decision of the Board under Section 2-114.

58-7. Penalty for violation of chapter.

Any violation of this [chapter] Chapter is a [class] Class B violation.

Article 2. Invasive bamboo.

58-8. Definitions.

As used in this Article the following terms have the stated meaning:

Invasive bamboo means a woody grass commonly referred to as bamboo that is characterized by spreading behavior and is not native to the Mid-Atlantic Region, including bamboo species in the genus Phyllostachys.

Mid-Atlantic Region means Maryland, Virginia, Delaware, New Jersey, New York, Pennsylvania, North Carolina, West Virginia, and the District of Columbia.

Property owner means any person or entity:

(a) holding title to property; or

(b) any lessee, tenant, or occupant having care, custody, control, or management of any property.

58-9. Regulation of invasive bamboo.

A person or entity in the County must not sell or offer for sale invasive bamboo.

58-10. Reporting, inspection, and notices of violation.

(a) Complaints about the sale of invasive bamboo may be reported to the Director.

(b) The Director may conduct any necessary inspections and issue a Class B violation notice to the property owner.

80 **Sec. 2. Short Title.** This Act may be referred to as part of the “Native Plant
81 Protection Act.”