ORDINANCE NO 90

AN ORDINANCE RELATING TO SEED RICE INSPECTION COMBATING AND ERADICATING WATER GRASS IN RICELANDS.

The Board of Supervisors of the County of Solano do ordain as follows;

Section 1. Water grass (Echinochloa crus-galli and varieties Echinochloa Zelayensis) infesting lands, canals, ditches, road rights of ways, or growing in the rice land soils of the County of Solano is hereby declared a public nuisance.

This is necessary in order to prevent greater and irreparable damage to crops and other property; also the preservation of the welfare of the people determines that such water grass be controlled and exterminated and destroyed.

Section 2. It shall be the duty of every person, owning, claiming or occupying land, planted to rice, situated in the County of Solano, to keep the lands so owned, claimed or occupied clear of water grass, and such failure in such duty shall be deemed sufficient cause for the public, through the County Horticultural Commissioner and his inspectors or agents, to enter upon such lands and abate the nuisance by destroying the water grass as in this ordinance provided;

Section 3. a. It shall be the duty of the Farm Advisor or his agents to inspect all seed rice to be used for planting purposes and entering this County or offered for sale within this County, for the purpose of determining-cite freedom from water grass seeds, and seed rice so offered for sale infested with such water grass seeds, shall be condemned by the County Farm Advisor or his agents for seed purposes, and shall not be used for seed until it passes inspection.

b. It shall be the duty of the County Farm Advisor in this County, whenever he shall deem it necessary, to cause an inspection to be made of any premises on which rice is grown or lands in dangerous proximity thereto and if found infested with water grass (Echinochloa crus-galli and varieties Echinochloa Zelayensis), he shall in writing notify the owner or owners or person or persons in charge, or in possession of the said fields, property or premises, that the same are infested with said water grass menace, and require such person or persons to eradicate or destroy the said water grass within a certain time to be herein specified. Said notice may be served upon the said person or persons, or either of them owning or having charge, or having possession of such infested field, or premises or upon the agents of either, by the Advisor or by the duly appointed deputy or inspector of said Advisor for that purpose, in the manner as a summons in a civil action; provided, however, that if any such infested fields, property or premises as herein above specified belong to any of the non-resident person, and there is no person in control or possession thereof, and such non-resident person has no tenant, bailee, depositary or agent, upon whom service can be had, or if the owner or owners of any such fields, property or premises cannot after due diligence be found, then such notice may be served by posting the same in some conspicuous place upon such fields, property or premises, and by mailing a duly registered copy thereof to the owner thereof at his last known place of residence, if the same is known.
Any and all such fields, properties or premises, devoted to rice culture where water grass is growing, or such lands in dangerous proximity thereto, are hereby declared and adjudged a public nuisance; and whenever any such nuisance shall exist, and the proper notice thereof shall have been served as herein provided, and such nuisance shall not have been abated within the time specified in such notice, it shall be the duty of the County Farm Advisor, to cause such nuisance to be at once abated, by controlling and eradicating said water grass. The expense thereof shall be a County charge, and the Board of Supervisors shall allow and pay the same out of the general fund of the County. Any and all sums or sum so paid shall be and become a lien on the fields, properties and premises from which said water grass nuisance has been controlled and eradicated in pursuance of this ordinance. A notice of this lien shall be filed and recorded in the office of the County Recorder of the County within 30 days after the right to the said lien has accrued. An action to foreclose such lien shall be commenced within 90 days after the filing and recording of said notice and lien, which action shall be brought in the proper court by the District Attorney of the County in the name and for the benefit of this County and when the property is sold enough of the proceeds shall be paid into the County Treasury of this County to satisfy the lien or costs, and the overplus if any there be, shall be paid to the owner of the property if he be known and if not into the court for his use, when ascertained. The County Farm Advisor, is hereby vested with the power to cause any and all water grass nuisances in rice land or land in dangerous proximity thereto to be at once abated in a summary manner.

This ordinance shall take effect from and after its passage and upon due publication thereof.

Adopted by the Board of Supervisors of said County of Solano, this 7th day of February, 1916, by the following vote. Ayes, Clausen, Connally, McCormack, and Fleming. No none, Absent Widermann.

Approved February 7, 1916

D. M. Fleming
Chairman

Attest
G. C. Halliday
Clerk.