



Serving Notice

- 1st notice is a phone call or polite letter in regular mail
- Certified notice to destroy sent:
 - 5-8 days later depending on: severity of infestation, maturity of plants, how vocal the complainant is, repeat offenders, effort put forth by violator, weather etc.
- 3 part method of service per County Attorney:
 - Certified letter,
 - regular mail
 - post property per advice of.





What does the law say on notice...

- ▶ Iowa Code 317.6 “...In computing time hereunder it shall be...if made by certified mail, **from the date of mailing** as evidenced by the certified mail book at the post office where mailed.”
- ▶ War Eagle Village Apts. V. Plummer, 775 N.W.2d 714, (Iowa 2009) – deemed notice 7 days from date of certified mailing was unconstitutionally short.



What we do...

- ▶ From the 5 days from **receipt** of Certified Letter. Otherwise we 2 weeks from date of mailing and posting property.
 - ▶ Problem has usually set seed by this time.
- ▶ I have only done 4 or 5 destructions. Largest one was 4 acres in size. I have always mowed wherever possible, per the weed law language that seems to prefer cutting over mowing.



Collection of fees...

- Send the property owner the bill as soon as possible. Make payable to Dallas County Treasurer
- They will usually call.
- Explain to them that if they don't pay it, a Public Hearing will be held on the issue and after the public hearing, the fine will be assessed to their taxes.
- No objections from my County Attorney or Board of Supes for collecting fines this way. Most of the areas and fines were small though, \$200-\$600. Billing right away end up saving time and BS involved with a public hearing and assessing it to the tax rolls.
- Money collected goes back into Secondary Roads Budget since Road Dept equipment was used and it took me away from my Road Dept duties.