

Bill No. 26-25  
Concerning: Vegetation – Invasive Plants  
Revised: 4/8/2026 Draft No. 3  
Introduced: June 17, 2025  
Expires: December 7, 2026  
Enacted: April 7, 2026  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: \_\_\_\_\_  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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

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**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

<b>Boldface</b>	<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;]] poison ivy; ragweed; kudzu; Canada, musk, nodding, plumeless,  
 18 and bull thistles; Johnsongrass; Palmer amaranth; shattercane; tall waterhemp;  
 19 and any weed or plant[[, except another thistle,]] identified by the Secretary of  
 20 the Maryland Department of Agriculture by regulation as a noxious weed in the  
 21 State[[or any terrestrial or aquatic plant identified by the Maryland Invasive  
 22 Species Council as an invasive species of concern in Maryland]]][[under State  
 23 law; and any other plant which the Director finds by regulation endangers public  
 24 health or safety if allowed to grow unchecked]].

25 **58-2. Regulations.**

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

28 **58-3. Duty of landowners and persons in charge of land.**

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

- 31 (a) [The] the generalized growth of any weed; and
- 32 (b) [Any] any generalized plant growth more than 12 inches high within 15  
 33 feet of any property boundary. Generalized plant growth does not include  
 34 trees, ornamental shrubs, flowers, native plants and grasses, or garden  
 35 vegetables.

36 **58-4. Notice.**

37 (a) If the owner, lessee, agent, or person in charge fails to comply with  
 38 ~~[[section]]~~ Section 58-3, the [director] Director may:

- 39 (1) [Notify] notify the owner in writing of the violating conditions  
 40 existing on the land and the requirements of this chapter; and
- 41 (2) [Direct] direct the owner to comply with ~~[[section]]~~ Section 58-3  
 42 within 10 days after receiving the notice.

43 (b) The notice may be personally served or may be mailed to the address of  
 44 the owner shown on the assessment records of the County.

45 (c) If the Director finds that immediate action is needed to protect the public  
 46 health and safety as a result of a violation, the Director may order the  
 47 owner to immediately correct or abate the violation.

48 **58-5. Removal by County.**

49 (a) If the owner to whom a notice issued under ~~[[section]]~~ Section 58-4 is  
 50 directed does not comply ~~[[within 10 days]]~~ by the deadline set forth in  
 51 the notice, the [director] County may:

- 52 (1) remove any generalized growth of weeds; or
- 53 (2) cut any generalized plant growth within 15 feet of the boundary  
 54 of the land.

- 55 (b) If the [director] County removes any generalized growth of weeds or cuts  
 56 any generalized plant growth, the landowner must pay the reasonable  
 57 cost. The [county] County may collect the cost:  
 58 (1) as a lien against the land on the property tax bill; or  
 59 (2) in any other way legally available for collection of debts owed the  
 60 County.

61 **58-6. [Reserved] [Appeals.**

- 62 (a) Any person aggrieved by an action of the Director under this Chapter may  
 63 appeal to the Board of Appeals within 10 days after the date of notice of  
 64 the violation.  
 65 (b) Any party may seek judicial review of a decision of the Board under  
 66 Section 2-114.]] Reserved.

67 **58-7. Penalty for violation of chapter.**

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

69 **Article [[2]]II. Invasive bamboo.**

70 **58-8. Definitions.**

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

72 *Invasive bamboo* means a woody grass in the Poaceae family commonly  
 73 referred to as bamboo [[that is characterized by spreading behavior and is not  
 74 native to the Mid-Atlantic Region]], including bamboo species in the [[genus]]  
 75 *Phyllostachys*, *Pseudosasa*, *Bambusa*, and *Pleioblastus* genera, which can  
 76 spread through runners and are not native to the Mid-Atlantic region.

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

80 *Property owner* means any person or entity:

- 81 (a) holding title to property; or

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

84 **58-9. Regulation of invasive bamboo.**

85 (a) A person or entity in the County must not sell or offer for sale invasive  
86 bamboo. The sale of invasive bamboo does not include indoor bamboo  
87 houseplants and decoration, bamboo for consumption, and cut and dried  
88 bamboo stalks.

89 (b) A person may not plant or transplant invasive bamboo on any property in  
90 the County.

91 **58-10. Reporting, inspection, and notices of violation.**

92 (a) Complaints about the sale of invasive bamboo may be reported to the  
93 Director of the Department of Environmental Protection.

94 (b) The Director of the Department of Environmental Protection may  
95 conduct any necessary inspections and issue a notice of violation **[[Class**  
96 **B violation notice]]** to the property owner.

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

*Approved:*



April 7, 2026

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Natali Fani-González, President, County Council

Date

*Approved:*

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Marc Elrich, County Executive

Date

*This is a correct copy of Council action.*

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Sara R. Tenenbaum, Clerk of the Council