

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: April 16, 2026
Effective: July 16, 2026
Sunset Date: _____
Ch. 9, Laws of Mont. Co. 2026

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Glass
Co-Sponsors: then-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;]] 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

Natali Fani-González, President, County Council

Date

Approved:



April 16, 2026

Marc Elrich, County Executive

Date

This is a correct copy of Council action.



April 16, 2026

Sara R. Tenenbaum, Clerk of the Council

Date