



# Running Bamboo

Update to the Board of Supervisor's Environmental Committee

Joint Agency Presentation

October 2, 2018

# Overview of Legislation

- Enabling Legislation to allow the county to control/remove Running Bamboo
  - 2017 General Assembly enacted legislation (HB 2154/ SB 964) authorizing localities to add running bamboo to existing ordinances regulating grass, and to adopt an ordinance providing for the control of running bamboo, defined in Virginia Code § 15.2-901.1
  - Virginia Code § 15.2-901.1 defines “running bamboo” as “any bamboo that is characterized by aggressive spreading behavior, including species in the genus *Phyllostachys*.”

## CURRENT GRASS ORDINANCE

- [Chapter 119 - Grass or Lawn Area](#) of the Fairfax County Code regulates grass height.
- Grass height may not exceed twelve inches.

## CURRENT PRACTICES

- Enforcement and Staffing is seasonal; May through October
- Invoice property owners for the cost of the cut if they do not comply after receiving notice of a violation
- Institute a lien on the property for unpaid invoices

# New Enabling Authority

- Virginia Code § 15.2-901 adds running bamboo to the types of growth regulated in the current Grass or Lawn Area Ordinance.
- Virginia Code § 15.2-901.1 is new enabling authority permitting an ordinance that provides:
  1. No landowner shall allow running bamboo to grow without proper upkeep and appropriate containment measures, including barriers or trenching; and
  2. No landowner shall allow running bamboo to spread from his property to any public right-of-way or adjoining property not owned by the landowner.

# Enabling Legislation Pros/Cons

## Pros

- Gives the authority to control running bamboo
- Addresses residents' complaints
- Supports the initiative to remove invasives from the community

## Cons

- Complicated and costly enforcement
- Impacts to both complainant and homeowner
- Penalty structure may not compel compliance
- Penalty structure within the statute may not be significant enough to support the inspection and enforcement process
- Methods of control can lead to unintended damage to trees
- Containment vs eradication



# Examples



# Recommendation

- Defer adopting a Running Bamboo Ordinance at this time but develop an educational approach to the issue:
  - Develop Running Bamboo educational materials working with internal and external stakeholders; evaluate feedback
  - Integrate work with the Commonwealth's initiatives, and align with the existing Chesapeake Bay Ordinance as appropriate, including adding running bamboo to the list of noxious weeds