

## Right-to-Farm Ordinance

**Statutory Reference or Authority:** Conn. General Stat. §§ 1-1(q), Conn. General Stat. §19a-3411

**Purpose:** Agriculture plays a significant role in Hampton’s heritage and future. The Town officially recognizes the importance of farming to its rural quality of life, heritage, public health, scenic vistas, tax base, wetlands and wildlife, and local economy. This Right to Farm ordinance encourages the pursuit of agriculture, promotes agriculture-based economic opportunities, and protects farmland within Hampton by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies.

**Definitions:** The terms “agriculture” and “farming” shall have all those meanings set forth in Section 1-1(q) of the Connecticut General Statutes, as amended.

**Exceptions:** None

**Ordinance Text:** No present or future agricultural operation conducted or maintained in a manner consistent with accepted agricultural practices, which is engaged in the act of farming as defined in this ordinance shall become or be considered a nuisance solely because such activity resulted or results in any changed condition of the use of adjacent land. Agricultural operations may occur any day or night provided such activities do not violate applicable health, safety, fire, zoning, wetlands, life safety, environmental or building codes and regulations and shall include, without limitation:

- 1) The incidental noise from livestock or farm equipment used in generally accepted farming practices;
- 2) Odors from livestock, manure, fertilizer or feed;
- 3) Dust and fumes associated with normally accepted farming practices;
- 4) The use of agricultural chemicals provided such chemicals and the method of their application conform to practices approved by the State of Connecticut; and
- 5) Irrigation and water management associated with generally accepted farming practices.

Inspection and approval of the agricultural or farming operation, place, establishment or facility by the State Commissioner of Agriculture or his/her designee shall be prima facie evidence that such operations follow generally accepted agricultural practices. Nothing contained in this ordinance shall restrict the powers of Hampton’s Inland Wetlands Commission, Planning and Zoning Commission, Building or Health Departments under Connecticut General Statutes.

**Fees:** N/A

**Penalties:** N/A

**Cross References:**

**Date Approved:** May 16, 2011

**Date Published:** Pending

**Effective Date:** Fifteen (15) days after pending publication

**History:**