

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~x

xCity

Town

~~Village~~x

Local Law No. 2 of the year 1992

A local law "THE RIGHT TO FARM LAW"
(Insert Title)

Be it enacted by the Town Board of the
(Name of Legislative Body)

~~County~~

xCity

Town

~~Village~~

of Brookfield as follows:

A LOCAL LAW TITLED "THE RIGHT TO FARM LAW"

BE it enacted by the Town Board of the Town of Brookfield as follows:

Section 1: Legislative Intent and Purpose

The Town board of the Town of Brookfield finds that farming is an essential activity within the township. Farming, as defined herein, reinforces the special quality of life enjoyed by citizens, provides the visual benefit of open space and generates economic benefits and social well-being within the community. Therefore, the Town of Brookfield emphasizes that this town encourages its agriculture and informs and requests understanding of the necessary day to day operations. It is the general purpose and intent of this Local Law to maintain and preserve the rural tradition and character of the Town of Brookfield, to permit the continuation of agriculture practices to protect the existence and operation of farms, and to encourage the initiation and expansion of farms and agricultural businesses. For the purpose of reducing future conflicts between farmers and non farmers, it is necessary for notice to be given to future neighbors about the nature of agricultural practices.

Section 2: Definitions

a. "Farm" includes livestock, dairy, poultry, fur-bearing animals, aquaculture, fruit and vegetable fieldcrop farms, plantations, orchards, nurseries, greenhouses, or other similar operations, used primarily for the raising of agricultural or horticultural commodities.

b. "Agricultural Practices" includes all activities conducted on a farm, necessary to the operation of a farm.
(If additional space is needed, attach pages the same size as this sheet, and number each.)

Section 3: The Right to Undertake Agricultural Practices

Farmers, as well as those employed, retained, or otherwise authorized to act on behalf of farmers, may lawfully engage in farming practices within the Town of Brookfield at any and all such times and all such locations as are reasonably necessary to conduct the business of farming. For any activity or operation, in determining the reasonableness of the time, place, and methodology of such operation, due weight and consideration shall be given to both traditional customs and procedures in the farming industry as well as to advances resulting from increased knowledge and improved technologies.

Section 4: Notice to Prospective Neighbors

The following notice shall be included in building permits and on plans of subdivisions submitted for approval pursuant to Town Law Section 276. "This property borders a farm, as defined in Town Law 1. Residents should be aware that farmers have the right to undertake farm practices which may generate, dust, odor, smoke, noise and vibration."

Section 5: Severability Clause

If any part of this Local Law is any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of the Local Law.

Section 6: Effective Date

This Local Law shall be effective immediately upon filing, pursuant to Section 27 of the Municipal Home Rule Law.