

#### **5.24.040 Right-to-Farm**

A. It is the declared policy of the County of Placer to preserve, protect and encourage the development and improvement of its agricultural land for the production of food and other agricultural products. When non-agricultural land uses extend into the agricultural areas, agricultural operations often become the subject of nuisance suits. As a result, agricultural operations are sometimes forced to cease or are substantially curtailed. Others may be discouraged from making investments in agricultural improvements. It is the purpose of this section to reduce the loss to the County of its commercial agricultural resources by limiting the circumstances under which agricultural operations may be deemed to constitute a nuisance.

B. No agricultural activity, operation, or facility, or appurtenances thereof, conducted or maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than one year if it was not a nuisance at the time it began.

C. For the purpose of this section, the term "agricultural activity, operation, or facility, or appurtenances thereof" shall include, but not be limited to, the cultivation and tillage of soil, dairying, the production, cultivation, growing, and harvesting of any agricultural commodity including timber, Christmas trees, viticulture, apiculture, nursery stock, or horticulture, the raising of livestock, fur bearing animals, fish, or poultry, and game birds, and any practices performed by a farmer or on a farm as incident to or in conjunction with such farming operations, including preparation for market, delivery to storage, or to market, or to carriers for transportation to market.

D. For the purpose of this section, commercial "agriculture" means those agricultural lands in designated areas, or those lands that are within the California Land Conservation Act or within a Timber Preserve zone or those lands that produce a gross annual income of four thousand five hundred dollars (\$4,500.00) from the sale of agricultural products.

E. Each prospective buyer of property in unincorporated Placer County shall be informed by the seller or his/her authorized agent of the Right-to-Farm Ordinance. The seller or his/her authorized agent will keep on file a disclosure statement signed by the buyer with the escrow process.

F. Whenever a building designated for residential occupancy is to be located on property in the unincorporated area of Placer County, the owners of the property, or their authorized agent, shall acknowledge receipt of the Right-to-Farm Ordinance. (Ord. 4983-B, 1999: prior code § 5.715)