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Chapter 580 [Right To Farm](#)

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Section 010 [Findings and Policy](#)

A. It is the declared policy of this county to enhance and encourage agricultural operations within the county. It is the further intent of this county to provide to the residents of this county proper notification of the county's recognition and support through this chapter of those persons and/or entities' rights to farm.

B. Where nonagricultural land uses extend into agricultural areas or exist side by side, agricultural operations are frequently the subject of nuisance complaints and are forced to cease or curtail operations. Such actions discourage investments in farm improvements to the detriment of adjacent agricultural uses and the economic viability of the county's agricultural industry as a whole. It is the purpose and intent of this chapter to reduce the loss to the county of its agricultural resources by limiting the circumstances under which agricultural operations may be considered a nuisance. This chapter is not to be construed as in any way modifying or abridging state law as set out in the California Civil Code, Health and Safety Code, Fish and Game Code, Food and Agricultural Code, Division 7 of the Water Code, or any other applicable provision of state law relative to nuisances, rather it is only to be utilized in the interpretation and enforcement of the provisions of this code and county regulations.

C. An additional purpose of this chapter is to promote a good neighbor policy between agricultural and nonagricultural property owners by advising purchasers and users of property adjacent to or near agricultural operations of the inherent potential problems associated with such purchases or residence, including but not limited to the noises, odors, dust and chemicals, smoke and hours of operation that may accompany agricultural operations and be prepared to accept attendant conditions as the natural result of living in or near rural areas.

(Ord. 1183 § 2, 2006)

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Section 020 [Nuisance](#)

No agricultural activity, operation or facility or appurtenances thereof, conducted or maintained for commercial purposes, and in a manner consistent with proper accepted customs and standards and with all present or future chapters of this code, as established and followed by similar agricultural operations, shall be or become a nuisance, public or private, pursuant to this code, if it was not a nuisance when it began.

Section 030 [Disclosure](#)

The following statement shall be signed and recorded at the time and in the manner required by subsection B of this section:

A. If your real property is adjacent to property used for agricultural operations or included within an area zoned for agricultural purposes, you may be subject to inconveniences or discomforts arising from such operations, including but not limited to noise, odors, fumes, dust, the operation of machinery of any kind during any twenty-four-hour period (including aircraft), the storage and disposal of manure and the application and spraying or otherwise of chemical fertilizers, soil amendments and pesticides.

B. Glenn County has determined that the use of real property for agricultural operations is a high priority and favored use to the county and will not consider to be a nuisance those inconveniences or discomforts arising from agricultural operations if such operations are consistent with accepted customs and standards.

C. The statement set forth in subsection A of this section shall be used under the following circumstances and in the following manners:

1. Upon transfer of real property by sale, exchange, installment land sale contract, lease with an option to purchase, or other option to purchase, or ground lease coupled with improvements with dwelling units, the transferor shall require that the agricultural statement of acknowledgment for residential development in the form set forth in Section 15.580.040 of this chapter be signed by the purchaser and recorded in the county recorder's office in conjunction with the deed conveying the real property;

2. Upon the issuance of a discretionary development permit including but not limited to subdivision maps and use permits, for use on or adjacent to lands zoned for agricultural operations. The discretionary development permit shall include a condition that the owners of the property and the party seeking the discretionary permit shall be required to sign an agricultural statement of acknowledgment for residential development in the form set forth in Section 15.580.040 of this chapter which form shall then be recorded in the county recorder's office.

D. Resolution of disputes.

E. Should any controversy arise regarding any inconveniences or discomforts occasioned by agricultural operations, including but not limited to noises, odors, fumes, smoke, dust, traffic, the operation of machinery of any kind during any twenty-four-hour period (including aircraft), the storage and disposal of manure and the application by spraying or otherwise of chemical fertilizers, soil amendments and pesticides, the parties may submit the controversy to the agricultural grievance committee as set forth below in an attempt to resolve the matter prior to the filing of any court action:

1. Any controversy between the parties shall be submitted to the agricultural grievance committee as established in Section 15.580.060 of this chapter within thirty days of the date of the occurrence of the particular activity giving rise to the controversy or of the date a party became aware of the occurrence;

2. The county recognizes the value and importance of full discussion and complete presentation and agreement concerning all pertinent facts in order to eliminate any misunderstandings;

3. The controversy shall be presented to the committee by written request of one of the parties within the time limits specified. The request shall be delivered to the committee at the office of the Glenn County agricultural commission in Willows. Thereafter the committee may investigate the facts of the controversy, but must, within thirty days, hold a meeting to consider the merits of the matter and within twenty days of the meeting must render a written decision to the parties. At the time of the meeting both parties shall have an opportunity to present what each considers to be pertinent facts;

4. The decision of the committee shall not be binding. If, however, one of the parties is not satisfied with

the committee decision, upon agreement of both parties, the matter may be submitted to binding arbitration according to the procedures set forth in subsection E of this section.

(Ord. 1183 § 2, 2006)

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Section 040 Binding Arbitration Procedures

The controversy between the parties shall be submitted to arbitration upon the written agreement of both parties and any decision resulting therefrom shall be binding upon both parties.

The parties shall each appoint one person to hear and determine the dispute. If these two arbitrators cannot agree, then the two arbitrators shall choose a third impartial arbitrator who shall make the decision. The cost of the arbitration shall be borne by the losing party or in such proportions as the arbitrators shall decide.

(Ord. 1183 § 2, 2006)

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Section 050 Agricultural Statement of Acknowledgment

Section 15.580.030 of this chapter requires this acknowledgment to be recorded prior to issuance of a building permit, transfer of real property by sale, exchange, installment land sale contract, lease with an option to purchase or other option to purchase, or ground lease coupled with improvements with dwelling units, the issuance of a discretionary permit including but not limited to subdivision permits and use permits, for use on or adjacent to lands zoned for agricultural operations.

If your real property is adjacent to property used for agricultural operations or included within an area zoned for agricultural purposes, you may be subject to inconveniences or discomforts arising from such operations, including but not limited to noise, odors, fumes, dust, the operation of machinery of any kind during any 24-hour period (including aircraft), the storage and disposal of manure and the application by spraying or otherwise of chemical fertilizers, soil amendments and pesticides. Glenn County has determined that the use of real property for agricultural operations is a high priority and favored use to the county and will not consider to be a nuisance those inconveniences or discomforts arising from agricultural operations, if such operations are consistent with accepted customs and standards.

Date: _____

PROPERTY OWNERS:

State of _____)

) SS.

County of _____)

On this the _____ day of _____, before me, the undersigned Notary Public, personally appeared _____

_____ Personally known to me.

_____ Provided to me on the basis of satisfactory evidence to be the person(s) whose name(s)

_____ subscribed to the within instrument and acknowledged that _____

executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

Present A.P. No. _____?

(Ord. 1183 § 2, 2006)

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Section 060 Agricultural Grievance Committee

A. Creation. There is created in the county an agricultural grievance committee.

B. Composition. The county agricultural grievance committee to consist of five members, not officials of the county, shall be appointed by the board of supervisors, selected as follows:

1. One representative of the orchard and vineyard industry;
2. One representative of the dairy industry;
3. One representative of the field crops industry;
4. One representative of other agricultural interests (for example, implement or chemical dealer);
5. One representative of the Glenn economic development committee or the Glenn County chamber of commerce.

C. Ex Officio Members. The Glenn County farm advisor and agricultural commissioner shall serve as ex officio members.

D. When Legally Constituted. The county agricultural grievance committee shall be legally constituted and have jurisdiction to proceed to act upon the appointment of the members thereof as hereinabove stated and evidenced by an order of the board of supervisors duly entered upon the minutes of such board.

E. Terms?Appointments, Vacancies. The terms of office of each member shall be four years and until the first appointment and qualification of his or her successor. A vacancy is filled only for the unexpired term. All vacancies on the committee shall be immediately reported to the board of supervisors by the committee chairman.

F. Regular Meetings. There shall be at least one regular meeting of the committee per calendar year and such additional meetings as needed. Additional meetings of the committee may be called by any two members of the committee.

G. Members Compensation Traveling Expense. All members of the committee shall serve without compensation. The members of the committee shall receive their actual and necessary traveling expenses to and from the place of meeting of the committee and while traveling in connection with the business of the committee.

(Ord. 1183 § 2, 2006)

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