

Right to farm. 109-64

Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

A. The right to farm land is hereby recognized to exist in this Township and is hereby declared a permitted use in all zones of this Township, notwithstanding specified and prohibited uses set forth elsewhere in this chapter, subject to the standards and regulations for intensive fowl or livestock use and applicable health and sanitary codes. This right to farm includes, but not by way of limitation:

- (1) Use of irrigation pumps and equipment, aerial and ground seeding and spraying, tractors and other equipment.
- (2) Use of necessary farm laborers.
- (3) The application of chemical fertilizers, insecticides and herbicides in accordance with manufacturers' instructions and the application of manure.
- (4) The grazing of animals and use of range for fowl, subject to the standards and regulations for intensive fowl and livestock use.
- (5) Construction of fences for these animals and livestock.
- (6) The traveling and transportation of large, slow-moving equipment over roads within the Township.
- (7) The control of vermin and pests, provided that such control is practiced under applicable state fish and game laws.
- (8) The use of land for recreational use, e.g., snowmobiling, etc., shall be done only with the permission of the farm owner. Any recreational use of the farmland which changes the underlying agricultural nature of the use shall be subject to the usual site plan review, variance application and all permits where otherwise required.

B. The purpose of these rights is to produce agricultural products, e.g., vegetables, grains, hay, fruits, fibers, wood, trees, plants, shrubs, flowers, seeds, livestock and poultry.

C. Notice of farm use.

(1) The purchaser of any real estate in West Amwell Township shall be notified of the importance of farming to our community and be provided with a copy of this "Right to Farm" section.

(2) The following language shall be included in the deed of any newly subdivided lot in

the Township:

"Grantee is hereby noticed, that there is or may in the future be, farm use near the premises described in this deed from which may emanate noise, odors, dust and fumes associated with agricultural practices permitted under the 'Right to Farm Ordinance' of West Amwell Township."

(3) The Township will take reasonable steps to make it possible for real estate salespersons to provide notification to prospective purchasers of land in this Township using language similar to the deed notification described just above.

(4) The Township Assessor shall maintain records of all farm properties within the Township which shall list the names of the owners and the location of farms which do and do not receive differential property taxation pursuant to the Farmland Assessment Act of 1964 (N.J.S.A. 54:4-23.1 et seq.).

(5) Farm fields are private property. Trespassing while on foot, on horseback, on bicycle or in a motorized vehicle is strictly forbidden.