

# **Town of Hayward Right to Farm Acknowledgement Ordinance # 05-2009**

**Whereas:**

- 1) **The Town of Hayward, Sawyer County, Wisconsin adopted a Comprehensive Plan on February 17, 2009 and,**
- 2) **Said Plan includes “Rural Preservation” or “RP” areas as described in Chapter 3 – Future Land Use and Appendix F Map 6, and specifically states:**
  - A) **The primary use of RP areas is forestry and/or agricultural and,**
  - B) **Any new non-farm residential lots will have a Right to Farm attachment.**

**Therefore:**

**The existing or potential owner or owners of a non-farm lot in a RP area, or change of ownership of lot within a PR area, must acknowledge and agree that:**

- 1) **They are moving into an area where farming and forestry are promoted and encouraged as a land use and that the intent of the land use or zoning regulations on surrounding lands, adjacent lands, and nearby lands are to preserve and protect farming and forestry.**
- 2) **Any person who operates a farm in A-1, Agricultural One District, or A-2, Agricultural Two District shall have the right to operate the farm in accord with common agricultural practices. Agricultural use shall be in accord with the Sawyer County Zoning Ordinance.**
- 3) **Any owner of land in F-1, Forestry One District shall have the right to follow forest management programs as described in the Sawyer County Zoning Ordinance.**
- 4) **Any agricultural or forestry practices, including the noises, odors, dust, and other characteristics associated with those practices, can occur year around and at any time of the day or night due to such factors such as, but not limited to, the type of crops being cultivated or harvested, any livestock kept on the premises, and weather conditions.**
- 5) **The owner or owners of this lot acknowledge that they have read Section 823.08 of the Wisconsin Statutes, as amended or renumbered, which applies to lawsuits in which agricultural uses are alleged to be a nuisance, and in the event that the owner believes that any farm in the in A-1 or A-2 agricultural district has become a nuisance, they shall seek relief through the circuit court system in accord with this section of the Wisconsin Statutes.**

**Administration:**

**This language will be recorded on the deed to the property and must be transferred to subsequent owners.**

**Severability:**

**The provisions of this ordinance are severable, and the invalidity of any section, subdivision, paragraph, or other part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.**

*Approved by the Town Board July 14, 2009*