



2021-2022 General Assembly

SENATE BILL 605: North Carolina Farm Act of 2021, Sec. 1: Voluntary Agricultural District Technical Changes

Committee:		Date:	February 7, 2022
Introduced by:		Prepared by:	Chris Saunders Staff Attorney
Analysis of:	Sec. 1 of S.L. 2021-78		

OVERVIEW: *Section 1 of S.L. 2021-78 does all of the following:*

- *Amends the requirements for an ordinance to establish a voluntary agricultural district.*
- *Clarifies that a local government may either make decisions about establishment and modification of voluntary agricultural districts or delegate that authority to an agricultural advisory board.*
- *Allows local governments to grant agricultural advisory boards the authority to execute agreements with landowners necessary for enrollment of land in a voluntary agricultural district.*
- *Clarifies the membership criteria for an agricultural advisory board.*
- *Requires that land records include some form of notice to alert people that a tract is located within one half-mile of the property line of any tract of land enrolled in a voluntary agricultural district.*
- *Makes several other technical changes.*

This section became effective July 2, 2021.

BACKGROUND: Local governments may adopt an ordinance to establish a voluntary agricultural district or enhanced voluntary agricultural district, which offers recognition and public education about agriculture, increased protection from nuisance suits by giving notice of the presence of a farm, waiver of water and sewer assessments, required public hearings for proposed condemnation, and potential eligibility for farmland preservation funding. An ordinance establishing a voluntary agricultural district must provide for the establishment of an agricultural advisory board, to which the local government may delegate several powers concerning the agricultural districts.

BILL ANALYSIS: Section 1 of S.L. 2021-78 does all of the following:

- Amends the requirements for an ordinance to establish a voluntary agricultural district.
- Clarifies that a local government may either make decisions about establishment and modification of voluntary agricultural districts or delegate that authority to an agricultural advisory board.
- Allows local governments to grant agricultural advisory boards the authority to execute agreements with landowners necessary for enrollment of land in a voluntary agricultural district.

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