

1 H.411

2 Introduced by Representatives Lawrence of Lyndon, Branagan of Georgia,
3 Brennan of Colchester, Buxton of Royalton, Canfield of Fair
4 Haven, Conquest of Newbury, Crawford of Burke, Dickinson of
5 St. Albans Town, Larocque of Barnet, Malcolm of Pawlet,
6 McAllister of Highgate, Partridge of Windham, Pearce of
7 Richford, Perley of Enosburgh, Reis of St. Johnsbury, Savage
8 of Swanton, Smith of New Haven, Stevens of Shoreham and
9 Taylor of Barre City

10 Referred to Committee on

11 Date:

12 Subject: Conservation and development; Act 250; agricultural fairs

13 Statement of purpose: This bill proposes that the construction of farm
14 structures for an agricultural fair is exempt from Act 250. The bill would also
15 provide that the use of improvements constructed for an agricultural fair for
16 nonagricultural purposes shall not require an Act 250 permit.

17 An act relating to the application of Act 250 to agricultural fairs

18 It is hereby enacted by the General Assembly of the State of Vermont:

1 ~~Sec. 1. 10 V.S.A. § 6001(3)(D) is amended to read:~~

2 ~~(D) The word “development” does not include:~~

3 ~~(i) The construction of improvements for farming, logging, or~~
4 ~~forestry purposes below the elevation of 2,500 feet.~~

5 ~~* * *~~

6 ~~(iv)(I) The construction of improvements for agricultural fairs that~~
7 ~~are open to the public for 60 days per year, or fewer, provided that any~~
8 ~~improvements constructed do not include one or more buildings other than a~~
9 ~~farm structure, as that term is defined in 24 V.S.A. § 4413(d)(1).~~

10 ~~(II) The use of improvements exempt under subdivision~~
11 ~~(D)(iv)(I) of this section for nonagricultural purposes shall not require a permit~~
12 ~~under this chapter.~~

13 ~~* * *~~

14 Sec. 2. EFFECTIVE DATE

15 ~~This act shall take effect on passage.~~

Sec. 1. 10 V.S.A. § 6001(3)(D) is amended to read:

(D) The word “development” does not include:

*(i) The construction of improvements for farming, logging, or
forestry purposes below the elevation of 2,500 feet.*

** * **

*(iv) The construction of improvements for agricultural fairs that
are registered with the agency of agriculture, food and markets and that are
open to the public for 60 days per year, or fewer, provided that, ~~any~~
improvements constructed do not include one or more buildings if the
improvement is a building, the building was constructed prior to January 1,
2011 and is used solely for the purposes of the agricultural fair.*

* * *

Sec. 2. 10 V.S.A. § 6001(34) is added to read:

(34) "Agricultural fair" means an event or activity that is intended to promote farming by:

(A) exhibiting a variety of livestock and agricultural products;

(B) exhibiting arts, equipment, and implements related to farming; or

(C) conducting contests, displays, and demonstrations designed to advance farming and to train or educate farmers, youth, or the public regarding agriculture.

Sec. 3. 10 V.S.A. § 6081(t) is added to read:

(t) A building constructed prior to January 1, 2011 in accordance with subdivision 6001(3)(D)(iv) of this title shall not be subject to an enforcement action under this chapter for:

(1) construction or any event or activity at the building that occurred prior to January 1, 2011; and

(2) any event or activity at the building on or after January 1, 2011 if the building is used solely for the purpose of an agricultural fair.

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.