

1 H.941

2 Durfee of Shaftsbury moves that the bill be amended by striking out all after
3 the enacting clause and inserting in lieu thereof the following:

4 Sec. 1. FINDINGS AND INTENT; MUNICIPAL REGULATION OF
5 AGRICULTURE

6 (a) The General Assembly finds that since the enactment of 2004 Acts and
7 Resolves No. 115, it has been both the intent of the General Assembly and the
8 controlling law that a municipality shall not regulate farming, including the
9 construction of farm structures.

10 (b) It is the intent of the General Assembly to clarify that municipalities
11 lack authority to regulate farming or the construction of farm structures as set
12 forth in 24 V.S.A. § 4413, with the exception of farming and the construction
13 of farm structures in accordance with 24 V.S.A. § 4412.

14 Sec. 2. 24 V.S.A. § 4413 is amended to read:

15 § 4413. LIMITATIONS ON MUNICIPAL BYLAWS

16 * * *

17 (d)(1) A bylaw under this chapter shall not regulate:

18 (A) ~~required agricultural practices, including the construction of farm~~
19 ~~structures, as those practices are defined by the Secretary of Agriculture, Food~~
20 ~~and Markets~~ farming that meets the minimum threshold criteria in the Required
21 Agricultural Practices Rule and is therefore required to comply with the

1 Required Agricultural Practices Rule, except as described in section 4412 of
2 this title;

3 (B) construction of a farm structure as defined by the Required
4 Agricultural Practices Rule;

5 (C) the cultivation or other use of land for growing plants for food for
6 personal use, donation, or sale, including orchard crops, viticultural crops, and
7 for maple sap. As used in this subdivision, “food” means articles or
8 agricultural commodities for human or animal consumption;

9 (D) the cultivation of ornamental plants;

10 (E) accepted silvicultural practices, as defined by the Commissioner
11 of Forests, Parks and Recreation, including practices that are in compliance
12 with the Acceptable Management Practices for Maintaining Water Quality on
13 Logging Jobs in Vermont, as adopted by the Commissioner of Forests, Parks
14 and Recreation; or

15 ~~(F)~~ forestry operations.

16 (2) As used in this section:

17 (A) ~~“Farm structure” means a building, enclosure, or fence for~~
18 ~~housing livestock, raising horticultural or agronomic plants, or carrying out~~
19 ~~other practices associated with accepted agricultural or farming practices,~~
20 ~~including a silo, as “farming” is defined in 10 V.S.A. § 6001(22) has the same~~

1 meaning as defined in the Required Agricultural Practices Rule, but excludes a
2 dwelling for human habitation.

3 (B) “Forestry operations” has the same meaning as in 10 V.S.A.
4 § 2602.

5 (C) “Farming” has the same meaning as in 10 V.S.A. § 6001(22).

6 * * *

7 Sec. 3. 24 V.S.A. § 4412 is amended to read:

8 § 4412. REQUIRED PROVISIONS AND PROHIBITED EFFECTS

9 Notwithstanding any existing bylaw, the following land development
10 provisions shall apply in every municipality:

11 * * *

12 (15) No bylaw shall have the effect of prohibiting the raising, feeding,
13 or management of chickens, excluding roosters, for personal use, donation, or
14 sale.

15 (16) No bylaw shall have the effect of prohibiting farming but may
16 regulate the following for a farm or farm structure subject to the Required
17 Agricultural Practices Rule on a parcel less than 0.75 acres that was not
18 operating as of July 1, 2026 and is not on conserved land:

19 (A) Ingress and egress of vehicular traffic and ensuring pedestrian
20 safety, including regulating parking, signage, pavement markings, functional
21 enclosure of livestock adjacent to road; and

1 (B) Siting and setbacks requirements.

2 Sec. 4. MUNICIPAL REGULATION OF FARMING STUDY; REPORT

3 (a) The Secretary of Agriculture, Food and Markets shall convene a
4 stakeholder group to examine options to address conflicts between landowners
5 that involve agricultural livestock activities in densely populated villages,
6 towns, or cities in Vermont. At a minimum, the stakeholder group shall
7 include membership-based agricultural organizations, the Vermont League of
8 Cities and Towns, Vermont Farm to Plate, and individuals with expertise in
9 local or regional planning, as well as zoning administration.

10 (b) The stakeholder group shall consider options to address conflicts,
11 including establishing or expanding the Required Agricultural Practices Rule
12 to regulate livestock, particularly addressing stocking densities on parcels of
13 less than 10 acres; utilizing ordinances to address livestock; protecting the right
14 to grow food for personal consumption, including livestock; and creating rules
15 like the Cannabis Control Board rule to enforce against an operation based on
16 health, safety, or the integrity of the broader industry.

17 (c) On or before January 31, 2027, the Secretary shall submit a report to the
18 House Committees on Agriculture, Food Resiliency, and Forestry and on
19 Environment and the Senate Committees on Agriculture and on Natural
20 Resources and Energy that summarizes findings, considerations, and any
21 recommendations of the stakeholder group and offers a recommendation from

1 the Secretary on solutions, including recommended statutory changes or
2 rulemaking, that would best support municipalities when significant landowner
3 conflicts arise regarding livestock.

4 Sec. 5. EFFECTIVE DATE

5 This act shall take effect on July 1, 2026.