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H.941

Representative Sheldon of Middlebury moves that the bill be amended as follows:

First: By striking out Sec. 2, 24 V.S.A. § 4413, in its entirety and inserting in lieu thereof a new Sec. 2 to read as follows:

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

§ 4413. LIMITATIONS ON MUNICIPAL BYLAWS

* * *

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

(A) ~~required agricultural practices, including the construction of farm structures, as those practices are defined by the Secretary of Agriculture, Food and Markets~~ farming that:

(i) meets the minimum threshold criteria in the Required Agricultural Practices Rule and is therefore required to comply with the Required Agricultural Practices Rule; and

(ii) takes place on a parcel of land that is 1.0 acre or larger;

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

(C) accepted silvicultural practices, as defined by the Commissioner of Forests, Parks and Recreation, including practices that are in compliance with the Acceptable Management Practices for Maintaining Water Quality on

1 Logging Jobs in Vermont, as adopted by the Commissioner of Forests, Parks
2 and Recreation; ~~or~~

3 ~~(C)~~(D) forestry operations;

4 (E) cultivation or other use of land for growing plants for food for
5 personal use, donation, or sale, including orchard crops, viticultural crops, and
6 for maple sap; or

7 (F) the raising, feeding, or management of poultry flock of not more
8 than 15 birds, excluding roosters, for personal use, donation, or sale.

9 (2) As used in this section:

10 (A) “Farm structure” ~~means a building, enclosure, or fence for~~
11 ~~housing livestock, raising horticultural or agronomic plants, or carrying out~~
12 ~~other practices associated with accepted agricultural or farming practices,~~
13 ~~including a silo, as “farming” is defined in 10 V.S.A. § 6001(22)~~ has the same
14 meaning as defined in the Required Agricultural Practices Rule, but excludes a
15 dwelling for human habitation.

16 (B) “Forestry operations” has the same meaning as in 10 V.S.A.
17 § 2602.

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

19 (D) “Food” means articles or agricultural commodities for human or
20 animal consumption.

21 (E) “Poultry” has the same meaning as in 6 V.S.A. § 1459(4).

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Second: By striking out Sec. 3, 24 V.S.A. § 4412, in its entirety

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and by renumbering the remaining sections to be numerically correct.