

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding sections numbered 3.1-106.4:1 and 15.2-924.1, relating*  
3 *to the regulation of fertilizer.*

4 [S 1061]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding sections numbered 3.1-106.4:1 and 15.2-924.1**  
8 **as follows:**9 § 3.1-106.4:1. *Local government regulation of fertilizer.*10 *No locality shall regulate the registration, packaging, labeling, sale, or distribution of fertilizers. The*  
11 *provisions of this section shall not preempt the adoption, amendment, or enforcement of the Statewide*  
12 *Fire Prevention Code pursuant to § 27-97 and the Uniform Statewide Building Code pursuant to*  
13 *§ 36-98.*14 § 15.2-924.1. *Regulation of nonpoint source pollution; fertilizer.*15 *A. No locality shall regulate the use, application, or storage of fertilizers, as defined in the Virginia*  
16 *Fertilizer Act (§ 3.1-106.1 et seq.), except by ordinances consistent with the requirements of the*  
17 *Chesapeake Bay Preservation Act (§ 10.1-2100 et seq.), the Erosion and Sediment Control Law*  
18 *(§ 10.1-560 et seq.), the Stormwater Management Act (§ 10.1-603.1 et seq.) or other nonpoint source*  
19 *regulations promulgated by the Department of Conservation and Recreation or the Soil and Water*  
20 *Conservation Board.*21 *B. The provisions of this section shall not preempt the adoption, amendment, or enforcement of the*  
22 *Statewide Fire Prevention Code pursuant to § 27-97 and the Uniform Statewide Building Code pursuant*  
23 *to § 36-98.*24 *C. Any person aggrieved by any development condition prohibiting or restricting the use, application,*  
25 *or storage of fertilizers imposed as a condition of approval of a land use application submitted shall*  
26 *have the right to contest any such development condition by filing an action pursuant to § 15.2-2285 or*  
27 *15.2-2314, as the case may be, with the circuit court having jurisdiction of the land affected by the*  
28 *imposed development condition.*

ENROLLED

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