

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 15.2-2288.6, relating to local*
3 *regulation of activities at agricultural operations.*

[S 51]

Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 15.2-2288.6 as follows:**8 ***§ 15.2-2288.6. Agricultural operations; local regulation of certain activities.***9 *A. No locality shall regulate the carrying out of any of the following activities at an agricultural*
10 *operation, as defined in § 3.2-300, unless there is a substantial impact on the health, safety, or general*
11 *welfare of the public:*12 *1. Agritourism activities as defined in § 3.2-6400;*13 *2. The sale of agricultural or silvicultural products, or the sale of agricultural-related or*
14 *silvicultural-related items incidental to the agricultural operation;*15 *3. The preparation, processing, or sale of food products in compliance with subdivisions A 3, 4, and*
16 *5 of § 3.2-5130 or related state laws and regulations; or*17 *4. Other activities or events that are usual and customary at Virginia agricultural operations.*18 *Any local restriction placed on an activity listed in this subsection shall be reasonable and shall take*
19 *into account the economic impact of the restriction on the agricultural operation and the agricultural*
20 *nature of the activity.*21 *B. No locality shall require a special exception, administrative permit not required by state law, or*
22 *special use permit for any activity listed in subsection A on property that is zoned as an agricultural*
23 *district or classification unless there is a substantial impact on the health, safety, or general welfare of*
24 *the public.*25 *C. Except regarding the sound generated by outdoor amplified music, no local ordinance regulating*
26 *the sound generated by any activity listed in subsection A shall be more restrictive than the general*
27 *noise ordinance of the locality. In permitting outdoor amplified music at an agricultural operation, the*
28 *locality shall consider the effect on adjoining property owners and nearby residents.*29 *D. The provisions of this section shall not affect any entity licensed in accordance with Chapter 2*
30 *(§ 4.1-200 et seq.) of Title 4.1. Nothing in this section shall be construed to affect the provisions of*
31 *Chapter 3 (§ 3.2-300 et seq.) of Title 3.2, to alter the provisions of § 15.2-2288.3, or to restrict the*
32 *authority of any locality under Title 58.1.*33 **2. That the Virginia Department of Agriculture and Consumer Services shall continue the**
34 **On-Farm Activities Working Group.**

ENROLLED

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