

CHAPTER 157: VOLUNTARY AND ENHANCED VOLUNTARY AGRICULTURAL DISTRICTS

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§ 157.01 TITLE.

This chapter contains an ordinance of the Board of County Commissioners of the county, entitled Voluntary Agricultural District and Enhanced Voluntary District Chapter.

(1996 Code, § 157.01) (Ord. passed 1-7-2008; Ord. passed - -2018)

§ 157.02 AUTHORITY.

The sections and divisions of this chapter are adopted pursuant to authority conferred by G.S. §§ 106-735 through 106-744 and G.S. Chapter 153A.

(1996 Code, § 157.02) (Ord. passed 1-7-2008; Ord. passed - -2018)

§ 157.03 PURPOSE.

The purpose of this chapter is to promote agricultural values and the general welfare of the county and, more specifically, increase identity and pride in the agricultural community and its way of life; encourage the economic and financial health of agriculture, horticulture, and forestry; and increase protection from non-farm development and other negative impacts on properly managed farms.

(1996 Code, § 157.03) (Ord. passed 1-7-2008; Ord. passed - -2018)

§ 157.04 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ADVISORY BOARD. The Davie County Agricultural Advisory Board.

BOARD OF COMMISSIONERS. Davie County Board of Commissioners.

CHAIRPERSON. Chairperson of the Davie County Agricultural Advisory Board.

DISTRICT. Voluntary Agricultural District as established by this chapter.

ENHANCED DISTRICT. Enhanced Voluntary Agricultural District as established by this chapter.

(1996 Code, § 157.04) (Ord. passed 1-7-2008; Ord. passed - -2018)

§ 157.05 AGRICULTURAL ADVISORY BOARD.

(A) *Creation.* The Board of Commissioners shall establish an Agricultural Advisory Board to implement the provisions of this program.

(B) *Membership.* The Advisory Board shall consist of no less than five regular members and two alternate members appointed by the Board of Commissioners.

(C) *Membership requirements.*

(1) Each Advisory Board member, except those serving in an ex officio capacity, shall be a Davie County resident or landowner.

(2) At least four of the members shall be actively engaged in farming, horticulture, and/or forestry. Of the members actively engaged in farming, horticulture, and/or forestry there shall be at least one such member from each agricultural district or Enhanced Agricultural District in the county. This determination shall be made without reference to ex officio members.

(3) The members actively engaged in farming, horticulture, and/or forestry as well as other members shall be selected for appointment by the Board of Commissioners from the names of individuals submitted to the Board of Commissioners by the Soil and Water Conservation District Board of Supervisors, the county office of the State Cooperative Extension, the U.S. Farm Service Agency County Committee, nonprofit agricultural organizations, conservation organizations, agribusiness, horticultural businesses, forestry businesses, and the public at large.

(4) Additional members may be appointed to the Board in an ex officio capacity from the Soil and Water Conservation District, State Cooperative Extension, the U.S. Farm Service Agency, or other agencies, as deemed necessary by the Board of Commissioners. Members serving in an ex officio capacity shall neither vote nor count toward quorum requirements.

(D) *Tenure.* The initial Board is to consist of two appointees for terms of one year; two appointees for terms of two years; and three appointees for terms of three years. Thereafter, all appointments are to be for terms of three years, with reappointment permitted.

(E) *Vacancies.* Any vacancy on the Advisory Board is to be filled by the Board of Commissioners for the remainder of the unexpired term.

(F) *Removal.* Any member of the Advisory Board may be removed by the Board of Commissioners upon a two-thirds vote of the Commissioners. No cause for removal shall be required.

(G) *Funding.* The per diem compensation, if any, of the members of the Advisory Board may be fixed by the Board of Commissioners and funds may be appropriated to the Advisory Board to perform its duties.

(H) *Advisory Board procedure.*

(1) *Chairperson.* The Advisory Board shall elect a Chairperson and Vice Chairperson each year at its first meeting of the fiscal year. The Chairperson shall preside over all regular or special meetings of the Advisory Board. In the absence or disability of the Chairperson, the Vice Chairperson shall preside and shall exercise all the powers of the Chairperson. Additional officers may be elected as needed.

(2) *Determination of procedure.* The Advisory Board may adopt rules of procedure not inconsistent with this chapter or with other provisions of state law.

(3) *Advisory Board year.* The Advisory Board shall use the county fiscal year as its meeting year.

(4) *Meetings.* Meetings of the Advisory Board shall be held at the call of the Chairperson and at such other times as the Advisory Board may specify in its rules of procedure or upon the request of at least a majority of the Advisory Board membership. A meeting shall be held at least annually and notice of any meetings to the members shall be in writing, unless otherwise agreed to by all Advisory Board members. Meeting dates and times shall be posted as far in advance as possible on the door of the meeting site and by advertisement in local newspapers or by other means of public dissemination of the meeting dates as may be agreed upon by at least a majority of the Advisory Board membership. All meetings shall be open to the public.

(5) *Majority vote and quorum requirements.* All issues shall be decided by a majority vote of the members of the Advisory Board present, except as otherwise stated herein. A **QUORUM** is defined as at least two-thirds of the voting members in attendance. No business may be conducted by the Advisory Board without a quorum present.

(6) *Records.* The Advisory Board shall keep minutes of the proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be filed in the office of the Advisory Board, or its designee, and shall be a public record.

(7) *Administrative.* The Advisory Board may contract with the County Cooperative Extension office to serve the Board for record keeping, correspondence, application procedures under this, and whatever services the Board needs to complete its duties.

(I) *Duties.* The Advisory Board shall:

- (1) Review and approve or disapprove applications of landowners for enrollment of qualified farmland, horticultural land, or forestland in either Voluntary Agricultural Districts or Enhanced Voluntary Agricultural Districts;
- (2) Make recommendations concerning the establishment and modification of agricultural districts;
- (3) Conduct public hearings;
- (4) Advise the Board of Commissioners on projects, programs, or issues affecting the agricultural economy and agricultural, horticultural, or forestry activities within the county that will affect agricultural districts;
- (5) Review and make recommendations concerning proposed amendments to this chapter;
- (6) Develop and maintain a draft countywide farmland protection plan as defined in G.S. § 106-744(e);
- (7) Study additional methods of protection for farming, horticulture, forestry, and the attendant land base, and make recommendations to the Board of Commissioners; and
- (8) Perform other agricultural, horticultural, and forestry-related tasks or duties assigned by the Board of Commissioners.

(1996 Code, § 157.05) (Ord. passed 1-7-2008; Ord. passed - -2018)

§ 157.06 CREATION OF VOLUNTARY AGRICULTURAL DISTRICTS AND ENHANCED VOLUNTARY AGRICULTURAL DISTRICTS.

(A) *Regions.* This county is hereby divided into two regions as defined below:

- (1) North of Interstate 40 (I-40); and
- (2) South of Interstate 40 (I-40).

(B) *Implementation.*

(1) In order to implement the purposes stated in §157.03, this program provides for the creation of Voluntary Agricultural Districts which meet the following standards: the District or Enhanced District shall contain the minimum acres of agricultural land, forest land, or horticulture land that is part of qualified farmland.

(2) All land enrolled in a region, defined in division (A) above, shall be part of a single district, whether enrolled in the District or the Enhanced District. If a single farm has acreage in two or more regions, the farm shall participate in the district where the largest acreage is found. All land in a region as defined in division (A) above shall be treated as a single district whether enrolled in the District or the Enhanced District.

(C) *Education.* The county may take such action as it deems appropriate through the Advisory Board or other entities or individuals to encourage the formation of the Districts and Enhanced Districts and to further their purposes and objectives, including the implementation of a public information program to reasonably inform landowners of the agricultural district program.

(D) *Addition and withdrawal.* Qualifying farmland in a region with an existing district shall be added to the district as herein provided.

(1996 Code, § 157.06) (Ord. passed 1-7-2008; Ord. passed - -2018)

§ 157.07 CERTIFICATION AND QUALIFICATION OF FARMLAND.

To secure county certification as qualifying farmland in either a Voluntary Agricultural District or Enhanced Voluntary Agricultural District, the farmland must:

(A) Be real property that is engaged in agriculture as that work is defined by G.S. § 106-581.1.

(B) Be managed, if highly erodible land exists on the farm, in accordance with the National Resources Soil Conservation Service defined erosion control practices.

(C) Be the subject of a conservation agreement, as defined in G.S. § 121-35, between the county and the owner of such land that prohibits non-farm use or development of such land for a period of at least ten years, except for the creation of not more than three lots that meet applicable county and municipal zoning and subdivision regulations.

(D) Be located in the unincorporated area of Davie County, unless there is an agreement with a municipality through which the county is authorized to exercise the authority of the municipality on its behalf.

(1996 Code, § 157.07) (Ord. passed 5-7-2012; Ord. passed - -2018)

§ 157.08 APPLICATION, APPROVAL, AND APPEAL PROCEDURE.

(A) *Application procedure.*

(1) A landowner, or landowners, may apply to participate in either the Agricultural District or the Enhanced Agricultural District program by making application, for certification of qualifying farmland to be included in a District or Enhanced District, to the chairperson of the Advisory Board or a designated staff person, and must designate the application as for either

Voluntary Agricultural District status or Enhanced District status. The application shall be on forms provided by the Advisory Board.

(2) A conservation agreement (required by G.S. §§ 106-737 and 160-743.3, and defined in G.S. § 121-35) suited to district type (Voluntary Agricultural District or Enhanced Voluntary Agricultural District) as designated by the landowner(s) to sustain, encourage, and promote agriculture must be executed by the landowner(s) and recorded with the Advisory Board, which shall record a certified copy of such with the County Registrar of Deeds. Permitted uses include agriculture, horticulture, forestry, and outdoor recreation. Conservation agreements for the Enhanced Agricultural District program may, at the election of the parties, include provisions requiring that any disputes between the county and the landowner be resolved through arbitration or mediation, and, in the event of litigation, that the prevailing party be awarded costs, including reasonable attorney fees. The conservation agreement for the Enhanced Voluntary Agricultural District shall be binding upon all successors in interest to the landowner, except for successors in interest resulting from the exercise of rights under a security interest or lien that preceded the conservation agreement.

(B) *Approval process.*

(1) Upon receipt of an application, the Chairperson will forward copies immediately to the following offices which shall be asked to provide comments, if any, to the Advisory Board prior to the date set for the Advisory Board vote on the application:

- (a) The County Tax Assessor;
- (b) The Soil and Water Conservation District Office;
- (c) The County Development Services Office; and
- (d) The Natural Resources Conservation Service.

(2) Upon submission of the application to the Advisory Board, the Advisory Board shall meet to approve or disapprove the application. The Chairperson shall notify the applicant by first class mail of approval or disapproval of participation in the district.

(C) *Appeal.* If an application is denied by the Advisory Board, the landowner may, within 15 days of notification of disapproval of the application, request in writing that the Advisory Board reconsider its decision. The request for reconsideration shall state the reason(s) therefor. Upon either an initial denial, if no request for reconsideration was made, or denial after reconsideration, the landowner shall have 30 days from the date of notification to appeal the decision to the Board of Commissioners. Such appeal shall be presented in writing. The decision of the Board of Commissioners is final.

(1996 Code, § 157.08) (Ord. passed 1-7-2008; Ord. passed - -2018)

§ 157.09 REVOCATION, ENFORCEMENT, AND RENEWAL OF CONSERVATION AGREEMENTS.

(A) *Revocation and enforcement.*

(1) *District.* By providing 30 days' advance written notice to the Advisory Board, a landowner of qualifying farmland within a Voluntary Agricultural District may revoke the conservation agreement or the Advisory Board may revoke the same conservation agreement based on noncompliance by the landowner, subject to the same provisions as contained in § 157.08(C) for appeal of denials. Such revocation shall result in loss of qualifying farm status and loss of eligibility to participate in a district. Absent noncompliance by the landowner, neither the Advisory Board nor the Board of Commissioners shall revoke any conservation agreement prior to its expiration. If the Advisory Board shall revoke this conservation agreement for cause, the landowner shall have the appeal rights set forth in § 157.08(C). Enforcement of the terms of a conservation agreement for land enrolled in a Voluntary Agricultural District shall be limited to revocation of the conservation agreement and the benefits derived therefrom.

(2) *Enhanced District.* Conservation agreements for land within Enhanced Districts are irrevocable for a period of ten years. Enforcement of the terms of the conservation agreement may be through an action for injunctive relief and/or damages in any court of competent jurisdiction. The county may also terminate any benefits to the owner under this program either permanently or during the period of violation, as appropriate. If the Advisory Board shall revoke this conservation agreement for cause, the landowner shall have the appeal rights set forth in § 157.08(C). The right to terminate program benefits is in addition to any legal rights that the county may have under either this chapter or the terms of the applicable conservation agreement. The county may seek costs of the action including reasonable attorney fees if such a provision is incorporated into the conservation agreement.

(B) *Transfer.*

(1) *District.* Transfers of land in a Voluntary Agricultural District due to death of the landowner(s), sale, or gift shall not revoke the conservation agreement unless the land no longer qualifies for enrollment under § 157.07 of this chapter or, in the event that there are water or sewer assessments held in abeyance, the new owner(s) fails to agree in writing to accept liability for those assessments in the event that the land is withdrawn either voluntarily or involuntarily from the district.

(2) *Enhanced District.* Transfers of land in a district due to death of landowner(s), sale, or gift shall not revoke the conservation agreement. The conservation agreement for the Enhanced Voluntary Agricultural District shall be binding upon all successors in interest to the landowner, except for successors in interest resulting from the exercise of rights under a security interest or lien that preceded the conservation agreement.

(C) *Renewal.*

(1) *District.* A conservation agreement for land within a Voluntary Agricultural District, that continues to qualify under all provisions of § 157.07, shall be automatically renewed unless the landowner provides 30-day written notice to the Advisory Board of intent not to renew. Absent noncompliance by the landowner, neither the Advisory Board nor the Board of Commissioners shall fail to renew any conservation agreement unless this chapter or its authorizing legislation has been repealed.

(2) *Enhanced District.* A conservation agreement for the Enhanced Voluntary Agricultural District, that continues to qualify under all provisions of § 157.07, shall be deemed automatically renewed for an additional term of three years, unless either the Advisory Board or the landowner gives written notice to the contrary prior to the termination date of the conservation agreement. At the end of each three- year term, the conservation agreement shall automatically renew for an additional three-year term unless notice of termination is given.

(1996 Code, § 157.09) (Ord. passed 1-7-2008; Ord. passed - -2018)

§ 157.10 WAIVER OF WATER AND SEWER OR ALL UTILITY ASSESSMENTS.

(A) *No connection required.*

(1) A landowner belonging to the District shall not be required to connect to county water and/or sewer systems.

(2) A landowner belonging to an Enhanced District shall not be required to connect to county utility systems.

(B) *Abeyance.*

(1) Water and sewer assessments shall be held in abeyance, without interest, for farms in a District, until improvements on such property are connected to the water or sewer system for which the assessment was made.

(2) Utility assessments shall be held in abeyance, without interest, for farms in an Enhanced District, until improvements on such property are connected to the utility system for which the assessment was made.

(C) *Termination of abeyance.* When the period of abeyance ends, the assessment is payable in accordance with the terms set out in the assessment resolution.

(D) *Suspension of statute of limitations.* Statutes of limitations are suspended during the time that any assessment is held in abeyance without interest. The landowner may be required to sign an acknowledgment (that may be incorporated into the conservation agreement) of the abeyance of the statute of limitations upon collecting water and sewer assessments, or other utility assessments.

(E) *Other statutory abeyance procedures.* Nothing in this section is intended to diminish the authority of the county to hold assessments in abeyance under G.S. § 153A-201, or other applicable law.

(F) *Conflict with water and/or sewer system construction and improvements grants.* To the extent that this section conflicts with the terms of federal, state, or other grants under which county utility systems are constructed, this section shall not apply. This section shall not apply to utilities that are not owned by the county unless the county has entered into an agreement with the entity(ies) owning the utilities and that agreement provides that this chapter shall apply.

(1996 Code, § 157.10) (Ord. passed 1-7-2008; Ord. passed - -2018)

§ 157.11 ADDITIONAL ENHANCED AGRICULTURAL DISTRICT BENEFITS.

Land enrolled in the Enhanced Voluntary Agricultural District program is entitled to all of the benefits available under the Voluntary Agricultural District program, and to the following additional benefits.

(A) *Sale of non-farm products.* Landowners participating in Enhanced Districts may receive up to 25% of gross sales from the sale of non-farm products and still qualify as a bona fide farm that is exempt from county zoning regulations under G.S. § 153A-340(b). For the purposes of G.S. § 153A-340(b), the production of any non-farm product that the Department of Agriculture and Consumer Services recognizes as a "Goodness Grows in North Carolina" product that is produced on a farm that is subject to a conservation agreement under G.S. § 106-743.2 is a bona fide farm purpose. A farmer seeking to benefit from this division (A) shall have the burden of establishing that the property's sale of non-farm products did not exceed 25% of its gross sales. A county may adopt an ordinance pursuant to this section that sets forth the standards necessary for proof of compliance.

(B) *Agricultural cost share program.* Landowners participating in Enhanced Districts are eligible under G.S. § 106-850(b) to receive the higher percentage of cost-share funds for the benefit of that farmland under the Agriculture Cost Share Program established pursuant to G.S. Chapter 106, Article 72.

(C) *Priority consideration.* State departments, institutions, or agencies that award grants to farmers are encouraged to give priority consideration to landowners participating in Enhanced Districts.

(D) *Utility assessment waiver.* As provided in § 157.10, waiver of all county utility assessments in addition to waiver of water and sewer assessments is available to all participants in Enhanced Districts.

(1996 Code, § 157.11) (Ord. passed 1-7-2008; Ord. passed - -2018)

§ 157.12 PUBLIC HEARINGS.

(A) *Purpose.* Pursuant to G.S. § 106- 740, which provides that no state or local public agency or governmental unit may formally initiate any action to condemn any interest in qualifying farmland within a District until such agency or unit has requested the Advisory Board to hold a public hearing on the proposed condemnation.

(B) *Procedure.*

(1) Upon receiving a request, the Advisory Board shall publish notice describing the proposed action in the appropriate newspapers of general circulation within the county within five business days of the request, and will in the same notice notify the public of a public hearing on the proposed condemnation, to be held within ten days of receipt of the request.

(2) The Advisory Board shall meet to review:

(a) Whether the need for the project has been satisfactorily established by the agency or unit of government involved, including a review of any fiscal impact analysis conducted by the agency involved; and

(b) Whether there are alternatives to the proposed action that have less impact and are less disruptive to the agricultural activities of the District within which the proposed action is to take place.

(3) The Advisory Board shall consult with the County Agricultural Extension Agent, the Natural Resources Conservation Service District Conservationist, and any other individuals, agencies, or organizations deemed by the Advisory Board to be necessary for its review of the proposed action.

(4) Within five days after the hearing, the Advisory Board shall make a report containing its findings and recommendations regarding the proposed action. The report shall be made available to the public prior to its being conveyed to the decision-making body of the agency proposing the acquisition.

(5) There will be a period of ten days allowed for public comment on the report of the Advisory Board.

(6) After the ten-day period for public comment has expired, the Advisory Board shall submit a final report containing all of its findings and recommendations regarding the proposed action to the decision making body of the agency proposing the acquisition.

(7) The total time period, from the day that a request for a hearing has been received to the day that a final report is issued to the decision making body of the agency proposing the acquisition, shall not exceed 30 days. If the agency agrees to an extension, the agency and the Advisory Board shall mutually agree upon a schedule to be set forth in writing and made available to the public.

(8) Pursuant to G.S. § 106-740, the Board of Commissioners shall not permit any formal initiation of condemnation by local agencies while the proposed condemnation is properly before the Advisory Board.

(1996 Code, § 157.12) (Ord. passed 1-7-2008; Ord. passed - -2018)

§ 157.13 NOTIFICATION.

(A) *Record notice of proximity to Voluntary Agricultural District.*

(1) *Procedure.* When the county computerizes its County Land Records System, the following requirements outlined in this section shall be implemented and enforced. Upon certification of qualifying farmland and designation of real property as a district, the title to that qualifying farmland and real property which is contained in the County Land Records System shall be changed to include a notice reasonably calculated to alert a person researching the title of a particular tract that such tract is located within one-half aerial mile of a Voluntary Agricultural District.

(2) *Limit of liability.* In no event shall the county or any of its officers, employees, members of the Advisory Board, or agents be held liable in damages for any misfeasance, malfeasance, or nonfeasance occurring in good faith in connection with the duties or obligations imposed by this.

(3) *No cause of action.* In no event shall any cause of action arise out of the failure of a person researching the title of a particular tract to report to any person the proximity of the tract to a qualifying farm or Voluntary Agricultural District or Enhanced Voluntary Agricultural District as defined in this chapter.

(B) *Signage.* Signs identifying parcels enrolled in an Agricultural District may be placed on enrolled parcels at the discretion of the owners. Signs shall not be placed along the right-of-way of any state or county maintained road.

(C) *Maps.* Maps identifying approved agricultural districts shall be provided to the following agencies or offices:

- (1) Planning Department;
- (2) Register of Deeds;
- (3) Natural Resources Conservation Service;
- (4) State Cooperative Extension;
- (5) Soil and Water Conservation District; and

(6) Any other such agency or office the Advisory Board deems appropriate, including maps denoting the locations of agricultural districts within the county planning jurisdiction.

(1996 Code, § 157.13) (Ord. passed 1-7-2008; Ord. passed - -2018)

§ 157.14 SUBDIVISION ORDINANCE AND ZONING ORDINANCE REVIEW.

Developers of major subdivisions or planned unit developments shall designate on preliminary development plans the existence of the districts within one-half aerial mile of the proposed development.

(1996 Code, § 157.14) (Ord. passed 1-7-2008; Ord. passed - -2018)

§ 157.15 COUNTY LAND USE PLANNING.

(A) *Duty of the Advisory Board.* It shall be the duty of the Advisory Board to advise the Board of Commissioners or the agency or office to which the Board of Commissioners delegates authority to oversee county land use planning, on the status, progress, and activities of the county's agricultural district program and to also coordinate the formation and maintenance of agricultural districts with the county's land use planning activities and the county's land use plan if one currently exists at the time this is enacted or when one is formed.

(B) *Posting of notice.* The following notice, of a size and form suitable for posting, shall be posted in the office of the Register of Deeds, and any other office or agency the Advisory Board deems necessary:

Davie County has established agricultural districts to protect and preserve agricultural lands and activities. These districts have been developed and mapped by the county to inform all purchasers of real property that certain agricultural and forestry activities, including but not limited to pesticide spraying, manure spreading, machinery and truck operation, livestock operations, sawing, and other common farming activities may occur in these districts any time during the day or night. Maps and information on the location and establishment of these districts can be obtained from the State Cooperative Extension Service office, the office of the Register of Deeds, the County Planning office, or the Soil and Water Conservation District Office.

(C) *Growth corridors.* At such time as the county might establish designated growth corridors, agricultural districts shall not be permitted in the designated growth corridors, as delineated on the official county planning map without the approval of the Board of Commissioners. Districts located in growth corridors designated after the effective date of this program may remain, but shall not be expanded within the growth corridor area without the approval of the Board of Commissioners.

(1996 Code, § 157.15) (Ord. passed 1-7-2008; Ord. passed - -2018)

§ 157.16 CONSULTATION AUTHORITY.

The Advisory Board may consult with the State Cooperative Extension, the Natural Resources Conservation Service, the State Department of Agriculture and Consumer Services, and with any other individual, agency, or organization the Advisory Board deems necessary to properly conduct its business.

(1996 Code, § 157.16) (Ord. passed 1-7-2008; Ord. passed - -2018)

§ 157.17 STATE AGENCY NOTIFICATION.

(A) *Annually report to the State Department of Agriculture and Consumer Services.* A copy of this shall be sent to the office of the State Commissioner of Agriculture and Consumer Services, the Board of Commissioners, the county office of the State Cooperative Extension, and the Soil and Water Conservation District office after adoption. At least annually the county shall submit a written report to the Commissioner of Agriculture and Consumer Services on the county's agricultural district program, including the following information:

- (1) Number of landowners enrolled;
- (2) Number of acres enrolled;
- (3) Number of acres certified during the reporting period;
- (4) Number of acres denied during the reporting period;
- (5) Number of acres for which applications are pending;
- (6) Copies of any amendments to the this chapter; and
- (7) Any other information the Advisory Board deems useful.

(1996 Code, § 157.17) (Ord. passed 1-7-2008; Ord. passed - -2018)

§ 157.18 LEGAL PROVISIONS.

(A) *Severability.* If any section, division, clause, phrase, or portion of this chapter is for any reason found invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter.

(B) *Conflict with other ordinances and statutes.* Whenever the provisions of this chapter conflict with other ordinances of the county, this chapter shall govern. Whenever the provisions of any federal or state statute require more restrictive provisions than are required by this chapter, the provisions of such statute shall govern.

(C) *Amendments.* This chapter may be amended from time to time by the Board of Commissioners.

(1996 Code, § 157.18) (Ord. passed 1-7-2008; Ord. passed - -2018)