

Am I Protected by the Right to Farm Act?

A. The Right to Farm Act provides certain protections to eligible owners or operators of **commercial farms**. Your farm is a **commercial farm** if it meets the following conditions:

- The farm is no less than 5 acres,
- The farm produces agricultural or horticultural products worth \$2,500 or more annually, and
- The farm receives Farmland Assessment or satisfies the eligibility criteria for Farmland Assessment.

OR

- The farm is less than 5 acres,
- The farm produces agricultural or horticultural products worth \$50,000 or more annually, and
- Although the farm is not eligible to receive Farmland Assessment because it does not meet the size requirement, the farm satisfies all other eligibility criteria for Farmland Assessment.

OR

- A farm management unit that is a beekeeping operation producing honey or other agricultural or horticultural apiary-related products, or providing crop pollination services, worth \$10,000 or more annually.

B. To qualify for the protection of the Right to Farm Act, your commercial farm must meet the following conditions:

- The farm is located in an area in which, as of December 31, 1997 or thereafter, agriculture is a permitted use under the municipal zoning ordinance,
or
the farm is in operation as of July 2, 1998.
- The operation of the farm conforms to agricultural management practices (AMPs) adopted by the State Agriculture Development Committee, or to a site specific AMP developed by the County Agriculture Development Board.
- The operation of the farm conforms to all relevant federal or State statutes, rules and regulations.
- The operation of the farm does not pose a direct threat to public health and safety.

For further information, please contact Ms. Katherine Coyle at 973-829-8120.