ASSEMBLY, No. 1140

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Assemblyman ROY FREIMAN
District 16 (Hunterdon, Mercer, Middlesex and Somerset)
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District 36 (Bergen and Passaic)

SYNOPSIS

Permits agriculture-related events on preserved farmland.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

AN ACT concerning certain events on preserved farmland and supplementing P.L.1983, c.32 (C.4:1C-11 et seq.).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. a. No person may hold an agriculture-related event on preserved farmland without the owner of the land first obtaining a permit therefor from the county agriculture development board pursuant to subsection b. of this section.

b. Any county agriculture development board may issue a permit to the owner of preserved farmland in the county for an agriculture-related event to be held on the farm, provided that:

(1) no more than four such permits may be issued for the farm per year;

(2) the duration of each permit and event is either one week or one weekend as defined in the permit; and

(3) the event only temporarily disturbs the use of the land for agricultural or horticultural purposes, and does not interfere with the use of the land for those purposes after the event has concluded.

c. Holding an agriculture-related event for which a permit has been issued pursuant to subsection a. of this section shall not be considered a violation of any agricultural deed restriction for farmland preservation on the land, provided the person holding the event complies with the terms and conditions of the permit issued pursuant to subsection a. of this section.

d. As used in this section:

"Agriculture-related event" means a festival or other event taking place once or a few times in a year on a specific day or specific consecutive days featuring an activity or group of activities highlighting an agricultural or horticultural practice or product implemented or grown on a farm. "Agriculture-related event" shall include, but not necessarily be limited to, hay bale races, flower shows, pumpkin tossing and "punkin chunkin" festivals, tractor pulls, and similar activities.

"Preserved farmland" means land on which a development easement was conveyed to, or retained by, the State Agriculture Development Committee, a county agriculture development board, a county, a municipality, or a qualifying tax exempt nonprofit organization pursuant to the provisions of section 24 of P.L.1983, c.32 (C.4:1C-31), section 5 of P.L.1988, c.4 (C.4:1C-31.1), section 1 of P.L.1989, c.28 (C.4:1C-38), section 1 of P.L.1999, c.180 (C.4:1C-43.1), sections 37 through 40 of P.L.1999, c.152 (C.13:8C-37 through C.13:8C-40), or any other State law enacted for farmland preservation purposes.

2. This act shall take effect the 180th day after the date of enactment of this act, but a county agriculture development board

may take any anticipatory administrative action in advance thereof as shall be necessary for the implementation of the act.

STATEMENT

This bill provides that a person may hold an agriculture-related event on preserved farmland if the owner of the land first obtains a permit from the county agriculture development board to hold such an event. The bill defines "agriculture-related event" as a festival or other event taking place once or a few times in a year on a specific day or specific consecutive days featuring an activity or group of activities highlighting an agricultural or horticultural practice or product implemented or grown on a farm. These events may include, but are not limited to, hay bale races, flower shows, pumpkin tossing and "punkin chunkin" festivals, tractor pulls, and similar activities.

The bill also provides that the county agriculture development board may issue an agriculture-related event permit to the owner of preserved farmland in the county if:

1) no more than four permits are issued for the farm per year; and

2) the event only temporarily disturbs the use of the land for agricultural or horticultural purposes, and does not interfere with the use of the land for those purposes after the event has concluded.

The bill specifies that holding an agriculture-related event for which a permit has been issued shall not be considered a violation of any agricultural deed restriction for farmland preservation on the land if the person holding the event complies with the terms and conditions of the permit as it was issued.