

Sec. 1. FINDINGS AND INTENT; MUNICIPAL REGULATION OF 5 AGRICULTURE

(a) For purposes of Sec. 2 of this act, the General Assembly finds that:

(1) Since enactment of 2004 Acts and Resolves No. 115, it has been both the intent of the General Assembly and the controlling law that a municipality shall not regulate farming, including the construction of farm structures.

(2) The Vermont Supreme Court's decision in *In re 8 Taft Street DRB & 12 NOV Appeals*, 2025 VT 27 misconstrued the intent of the General Assembly and reversed application of the past 20 years of law to hold that municipalities may regulate farming by municipal bylaw.

(3) In 2015 Acts and Resolves No. 64, the General Assembly substituted the word "accepted" with "required" to modify the term "agricultural practices." It appears that the word change made the General Assembly's intent to exempt farming from municipal zoning bylaws less clear.

~~(34) To remedy the misunderstanding announced, avoid the unchecked and unintended consequences of the decision in *In re 8 Taft Street DRB & NOV Appeals*, 2025 VT 27, it is necessary for the General Assembly to clarify and restates that municipalities under ordinance or bylaw shall not regulate farming or the construction of farm structures as set forth in 24 V.S.A. § 4413(d).~~

(b) For purposes of Sec. 2 of this act, it is the intent of the General Assembly to overturn the holding in *In re 8 Taft Street DRB & NOV Appeals*, 2025 VT 27 and to clarify that municipalities lack authority to regulate farming or the construction of farm structures as set forth in 24 V.S.A. § 4413(d).