

**RESOLUTION NO. 130-00**

**A RESOLUTION PROVIDING FOR THE  
CONSERVATION AND PROTECTION OF  
FARMLAND IN SEDGWICK COUNTY, KANSAS**

WHEREAS, the Board of County Commissioners of Sedgwick County, Kansas ("County") recognizes that agricultural activities significantly enhance the County's economic well-being and quality of life; and

WHEREAS, the County acknowledges that agricultural activities, conducted in areas into which nonagricultural uses have moved, are often subjected to nuisance lawsuits and that such suits encourage and even the premature removal of agricultural uses; and

WHEREAS, it is the desire of the County to protect farmers who use good management and agricultural practices from private nuisance lawsuits; and

WHEREAS, the County desires to place non-farm rural residents on notice that generally accepted agricultural practices are reasonable activities to expect in the unincorporated areas of Sedgwick County.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:**

SECTION 1. That it is the declared policy of the County to conserve and protect and encourage the development and improvement of farmland for the production of food and other agricultural products. The County finds that agricultural activities, conducted on farmland in areas into which nonagricultural uses have moved, are often subjected to nuisance lawsuits, and that such suits encourage and even force the premature removal of agricultural uses, It is therefore the purpose of this Resolution to provide protection for agricultural activities conducted on farmland in the County.


SECTION 2. Agricultural activities conducted on farmland, if consistent with good agricultural practices and if established prior to surrounding nonagricultural activities, are presumed to be reasonable and do not constitute a nuisance, public or private, unless the activity has a substantial adverse effect on the public health and safety. If such agricultural activity is undertaken in conformity with federal, state, and local laws and regulations, it is presumed to be good agricultural practice and presumed to not adversely affect the public health.


Commissioners present and voting were:

BETSY GWIN	<u>aye</u>
BILL HANCOCK	<u>aye</u>
THOMAS G. WINTERS	<u>aye</u>
CAROLYN McGINN	<u>aye</u>
BEN SCIORTINO	<u>aye</u>

Dated this 26th day of July, 2000.

ATTEST:

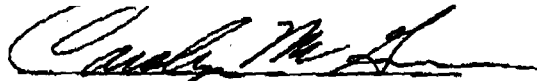


  
JAMES ALFORD  
County Clerk

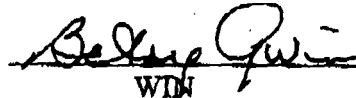
BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS



THOMAS G. WINTERS  
Chairman Third District



CAROLYN MCGINN  
Chair Pro Tom - Fourth District

  
WGN

BETSY GWIN  
Commissioner - First District




BILL HANCOCK  
Commissioner - Second District



BEN SCIORTINO  
Commissioner - Fifth District

APPROVED AS TO FORM:

  
RICHARD A. EUSON  
County Counselor