

AN ORDINANCE OF THE TOWNSHIP OF WOOLWICH AMENDING CHAPTER 203-18 OF THE WOOLWICH TOWNSHIP CODE ENTITLED "RIGHT TO FARM"

2015-13

WHEREAS, Chapter 203-18 of the Code of the Township of Woolwich entitled "Right to Farm" recognizes the necessity and existence of agricultural practices and provides certain protections for agricultural uses of farms within the Township of Woolwich; and

WHEREAS, the Township Committee of the Township of Woolwich wishes to establish a good neighbor policy in an effort to inform and educate adjoining property owners of agricultural land use and accepted agricultural practices; and

WHEREAS, it is the intent of this Ordinance to amend Chapter 203-18 of the Woolwich Township Code to establish such good neighbor policy;

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Woolwich as follows:

SECTION I. Amendment

1. That the following Article shall be added to Chapter 203-18 of the Code of the Township of Woolwich to read as follows:

203-18 J.

An additional purpose of this ordinance is to promote a good neighbor policy by advising purchasers and users of property adjacent to or near commercial farms of accepted activities or practices associated with those neighboring farms. It is intended that, through mandatory disclosures, purchasers and users will better understand the impacts of living near agricultural operations and be prepared to accept attendant conditions as the natural result of living in or near land actively devoted to commercial agriculture or in an Agricultural Development Area, meaning an area identified by a county agriculture development board pursuant to the provisions of N.J.S.A.4:1C-18 and certified by the State Agriculture Development Committee.

The disclosure required by this section is set forth herein, and shall be made a part of, the following disclosure form:

REAL ESTATE TRANSFER DISCLOSURE STATEMENT

This disclosure statement concerns the real property situated in the [Township, Borough, City] of [] described as Block _____, Lot _____. This statement is a disclosure of the conditions of the above described property in compliance with Ordinance No. _____ of the [Township, Borough, City] of []. It is not a warranty of any kind by the seller(s) or any agent(s) representing any principal(s) in this transaction, and is not a substitute for any inspections or warranties the principal(s) may wish to obtain.

Seller’s Information

The seller discloses the following information with the knowledge that even though this is not a warranty, prospective buyers may rely on this information in deciding whether and on what terms to purchase the subject property. Seller hereby authorizes any agent(s) representing any principal(s) in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property. The following are representations made by the seller(s) as required by the Township of Woolwich and are not the representation of the agents, if any. This information is a disclosure and is not intended to be part of any contract between the buyer and seller.

The Township of Woolwich permits the operation of generally accepted agricultural management practices within the municipality. If the property you are purchasing is located near land actively devoted to commercial agriculture or in an Agricultural Development Area, meaning an area identified by a county agriculture development board pursuant to the provisions of N.J.S.A.4:1C-18 and certified by the State Agriculture Development Committee, you may be affected by these agricultural activities or practices. The effect of these activities or practices may include, but are not limited to: noise, odors, fumes, dust, smoke, insects, operation of machinery (including aircraft) during any 24 hour period, storage and disposal of manure and compost, and the application by spraying or otherwise of fertilizers, soil amendments, herbicides and pesticides. One or more of the effects described may occur as the result of any agricultural operation which is in conformance with existing Federal and State laws and regulations and accepted customs and standards. If you live near an agricultural area, you should strive to be sensitive to the needs of commercial farm operators, as their presence is a necessary aspect of an area with a strong rural character and a strong agricultural sector. The State Agriculture Development Committee has established a formal complaint process to assist in the resolution of any disputes which might arise between residents of the Township of Woolwich regarding the operations of commercial farms.

Seller certifies that the information herein is true and correct to the best of seller=s knowledge as of the date signed by the seller.

Seller _____ Date _____
Seller _____ Date _____

Buyer(s) and seller(s) may wish to obtain professional advice and/or inspections of the property and to provide for appropriate provisions in a contract between buyer and seller(s) with respect to any advice/inspections/defects.

I/We acknowledge receipt of a copy of this statement.

Seller _____ Date _____ Buyer _____ Date _____
Seller _____ Date _____ Buyer _____ Date _____
Agent representing seller _____ By _____ Date _____

