

**AN ORDINANCE TO AMEND
THE VOLUNTARY AGRICULTURAL DISTRICT ORDINANCE**

The existing Voluntary Agricultural District Ordinance codified in Title XV, Chapter 155 of the "Code of Ordinances of the County of Surry, North Carolina" is amended by making the following change to §155.13 (B) *Posting of Notice*:

WHEREAS, it is the intent of the Surry County Board of Commissioners to prohibit noise of such character, intensity and duration so as to be detrimental to the health, safety or welfare of a reasonable person of ordinary sensibilities by its Noise Control Ordinance, and

WHEREAS, certain types of noise have been exempt from the provisions of the Noise Control Ordinance as listed in §132.02 EXCEPTIONS, and

WHEREAS, a question has arisen as to whether noise coming from certain types of farming practices is included on this list of exceptions, and

WHEREAS, with the uncertainties associated with the weather and the seasons of the year, farmers are faced with having to work late at night for their livelihood and not by choice, and

WHEREAS, generators may run at any time of the day or night on a farm that loses power, and

WHEREAS, irrigation equipment and machinery may be required to run at any time of the day or night on a farm, and

WHEREAS, in order to specifically exempt noise coming from engines and machinery used for normal farming practices, including engines that generate power, pump water or run tillage equipment from the provisions of the Noise Control Ordinance, the Surry County Board of Commissioners intends to enact and ordain changes to §132.02 EXCEPTIONS to exempt noise from engines and machinery used for normal farming practices, and

WHEREAS, to maintain consistency between the Noise Control Ordinance and the Voluntary Agricultural District Ordinance, The Surry County Board of Commissioners do enact and ordain that §155.13 (B) of the Voluntary Agricultural District Ordinance shall be amended to read as follows:

(B) *Posting of notice*. The following notice, of a size and form suitable for posting, shall be posted in the office of the Register of Deeds, and any other office or agency the Advisory Board deems necessary: "Surry County has established agricultural districts to protect and preserve agricultural lands and activities. These districts have been developed and mapped by the county to inform all purchasers of real property that certain agricultural and forestry activities, including but not limited to pesticide spraying, manure spreading, machinery and truck operation, livestock operations, sawing, irrigation, operation of engines that generate power, pump water or run tillage equipment, and other common farming activities may occur in these districts any time during the day or night. Maps and information and the location and establishment of these districts can be obtained from the North Carolina Cooperative Extension Service office, the office of the Register of Deeds, the County Planning office, or the Natural Resources Conservation Service office."

This Amendment to the Surry County Noise Ordinance shall take effect and be enforced on the day of its adoption.

This Amendment to the Voluntary Agricultural District Ordinance has been reviewed and approved by the Surry County Agricultural Advisory Board.

This Amendment to the Voluntary Agricultural District Ordinance shall be sent to the Office of the North Carolina Commissioner of Agriculture and Consumer Services,

the County Office of the North Carolina Cooperative Extension Service, and the Soil and Water Conservation District Office after adoption pursuant to §155.15 (B)(6) of the Voluntary Agricultural District Ordinance.

ADOPTED BY THE SURRY COUNTY COMMISSIONERS, this the 16th day of March, 2015.

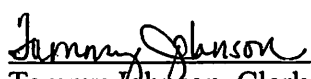
AMENDED this the 4th day of September, 2018.

SURRY COUNTY BOARD OF COMMISSIONERS



Eddie Harris, Chairman

ATTEST:



Tammy Johnson, Clerk to the Board