

TITLE 3

Agriculture

Regulatory Provisions

CHAPTER 14. AGRICULTURE AND FORESTAL NUISANCES

◆ 1401. Agricultural and forestal operations not considered nuisances; exception.

No agricultural or forestal operation within this State which has been in operation for a period of more than 1 year shall be considered a nuisance, either public or private, as the result of a changed condition in or about the locality where such agricultural or forestal operation is located. This section shall not apply when the nuisance is determined to exist as the result of the negligent or improper operation of any agricultural or forestal operation or when such operation is being operated in violation of state or federal law or any local or county ordinance.

62 Del. Laws, c. 347, ◆ 1.;

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