APPENDIX J

COMMERCIAL EQUINE ACTIVITIES AMENDMENT

CUMBERLAND COUNTY AGRICULTURAL LAND PRESERVATION PROGRAM AMENDMENT

In accordance with the regulations at 7 PA Code § 138e.43 (relating to revision of county programs), the county board, hereby, revises the County Agricultural Land Preservation Program in compliance with Act 61 of 2005 amendments of the Agricultural Area Security Law, Act 43 to take affect for the 2006 applicants. This Act is retroactive and applies to easements executed after June 29, 1981. The revisions to the county program are described by section.

DEFINITIONS

Commercial Equine Activity

The term includes the following activities where a fee is collected: the boarding of equines, training of equines, the instruction of people in handling, driving or riding equines, the use of equines for riding or driving purposes, the pasturing of equines. The term does not include activity licensed under the act of December 17, 1981 (P.L. 435, No. 135), Known as the "Race Horse Industry Reform Act."

Agricultural Security Areas

Section 14.05(a) of Act 43 is amended to include "or of viable agricultural land a portion of which is used for commercial equine activity," to the first sentence of this section.

COUNTY PROGRAM

Sections 14.1(B)(2)(I) and (C)(6) of Act 43 are amended to include "establishing minimum criteria for eligibility of viable agricultural land a portion of which is used for commercial equine activity."

RESTRICTIONS AND LIMITATIONS

Section 14.1(C)(6)(iii) of Act 43 is amended to allow "Construction and use of structures on the subject land necessary for agricultural production "or a commercial equine activity."

Section 14.1(C)(6)(VI) of Act 43 allows for "Commercial equine activity on the subject land."

AMENDMENT OR ADDITION OF SECTION

Section 4 of Act 61 of 2005 states, "The amendment or addition of section 14.1(C)(6)(III) and (VI) of the Act shall apply to easements executed after June 29, 1981.

Adopted by Cumberland County Agricultural Land Preservation Board 1-11-2006