

Fairfax Town Council meeting of January 11, 2012

Item 15. Approval of a letter from the Mayor to the Board of Supervisors and the Marin County Sheriff supporting the right of private ownership of farm animals – Hartwell-Herrero

The following letter supports the work of folks around the state who are protecting the right to privately grow and share food amongst themselves, a long held human tradition. A group of advocates will be meeting with the County Sheriff regarding enforcing controversial regulations around this issue and we are guessing the sheriff will be seeking some guidance from the BOS. This letter is part of a preemptive strike that let's the Sheriff and BOS know that communities and elected officials are paying attention. Petaluma councilwoman, Tiffany Renee is bringing forth a similar letter.

This issue was brought to me by a Sonoma Co. resident, herdsharer, and Grange member- but this could affect Marin Co 4-Hers and Future Farmers of America, not to mention it possibly effecting harvest share events that have begun to proliferate in our area. Ca. State Grange has taken a position supporting herdsharers. Our land use laws and zoning laws determine local husbandry issues. There is no need for regulations on private arrangements of sharing between neighbors.

Pam Hartwell-Herrero
Fairfax Mayor

Marin County Board of Supervisors, Room 329
Marin County Sheriff's Office, Room 145
County of Marin
3501 Civic Center Drive
San Rafael, CA 94903

Re: LETTER SUPPORTING RIGHT of PRIVATE OWNERSHIP of FARM ANIMALS

We, the Mayor and Members of the Town Council of the Town of Fairfax, support Californians who wish to exercise their right to share in private ownership (shareholders)/private contract of poultry and/or livestock animals (except goats, cows, sheep). We recognize the right and freedom of people raising their own food, including food derived from agricultural animals (except animals that produce milk) for their own enjoyment as well as sharing with their family, friends and neighbors.

We additionally support the idea of these locally owned animals, who might be boarded at a farm and humanely cared for and milked specifically for shareholder(s), and we are made to understand that none of the milk produced by the shareholders' animals is sold or made directly available to anyone other than the shareholder(s). As part of the right to raise your own food, people are subject to respecting existing zoning and land use laws. No local, state or federal law bars any person from raising their own food and sharing with others. We object to county, state or federal agencies regulating Californians raising agricultural animals for their own private use.

As the Mayor and members of the Town Council, we are bound by oath to uphold, defend, support, and obey the California Constitution, which recognizes that, "all political power is inherent in the people" (California Constitution Article II, Section 1) and that grants counties and cities all power necessary to protect the public health, safety, and welfare (California Constitution, Article XI, Section 7). Furthermore, we are bound by oath to uphold, defend, support and obey Article 1, Section 9, paragraph 3, which states in the Declaration of Rights: A bill of attainder, ex post facto law, or law impairing the obligation of contracts may not be passed.

We support preserving California agriculture and ask that this attempt to celebrate and protect agriculture continues by all for the present and the future.

Thank you,

Mayor of Fairfax and Town Council