

929.04 Defense to civil action for nuisance.

In a civil action for nuisances involving agricultural activities, it is a complete defense if:

- (A) The agricultural activities were conducted within an agricultural district;
- (B) Agricultural activities were established within the agricultural district prior to the plaintiff's activities or interest on which the action is based;
- (C) The plaintiff was not involved in agricultural production; and
- (D) The agricultural activities were not in conflict with federal, state, and local laws and rules relating to the alleged nuisance or were conducted in accordance with generally accepted agriculture practices.

The plaintiff may offer proof of a violation independently of proof of a violation or conviction by any public official.

Effective Date: 01-01-1983