

## **Farm Agriculture/Equine Building Exemption Request**

### **Building Codes Services**

800 S.E. Emigrant Ave., #360

Pendleton, OR 97801

**Phone: 541-276-7814 • Fax: 541-276-9244 • Web: [www.oregon.gov/bcd](http://www.oregon.gov/bcd)**

**Email: [building.department@oregon.gov](mailto:building.department@oregon.gov)**

Authorized Agricultural Building Exemption: State law (ORS 455.315) allows exemption from the requirement for a building permit and inspections under the Oregon State Structural Specialty Code when the proposed building meets the agricultural building requirements.

### **INSTRUCTIONS**

**Important information:** This exemption applies to the structural permit only. You must obtain the appropriate permits if the building includes electrical wiring, mechanical (heating, ventilation, or air conditioning), a boiler, plumbing or septic system.

This form is for use only in the following jurisdictions served by the Building Codes Services field office:

- The counties of Sherman, Gilliam, and Wheeler.

1. Complete the applicant information.
2. Include the legal description of the property where the building is to be constructed.
3. Provide the building information as appropriate.
4. Sign and date the form.
5. Obtain approval and signature from the local planning office (*Building Codes Services cannot issue local zoning permits. If the local jurisdiction determines the property is not a farm, not zoned appropriately, or denied for any other purpose, Building Codes Services will not exempt the building*).
6. If the building will contain plumbing, sanitation approval from the DEQ will be required prior to approval.
7. If the form is approved, submit it to Building Codes Services. Historically, this application required a \$50.00 fee. Oregon Building Codes Services is waiving the fee at this time.

Building Codes Services  
800 S.E. Emigrant Ave., #260  
Pendleton, OR 97801  
or Fax: 541-276-9244

### **APPROVAL PROCESS**

Building Codes Services will review the Exemption Request and verify if the building you intend to construct meets the requirements for a farm agricultural exemption. The decision will be mailed to you.

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## Exemption of Agricultural Buildings, Grading, and Equine Facilities (ORS 455.315)

Nothing in this chapter is intended to authorize the application of the state structural specialty code to any agricultural building, grading or equine facility.

### *As used in this section:*

- (1) **Agricultural Building** means a structure located on a farm and used in the operation of the farm for:
  - a. Storage, maintenance or repair of farm machinery and equipment
  - b. The raising, harvesting and selling of crops
  - c. The feeding, breeding, management and sale or, of the produce of, livestock, poultry, fur-bearing animals or honeybees
  - d. Dairying and the sale of dairy products
  - e. Any other agricultural or horticultural use or animal husbandry, or any combination thereof, including the preparation and storage of the produce raised on the farm for human use and animal use and disposal by marketing or otherwise
- (2) **Agricultural Building** does not mean:
  - a. A dwelling
  - b. A structure used for a purpose other than growing plants in which 10 or more persons are present at any one time
  - c. A structure regulated by the State Fire Marshal pursuant to ORS chapter 476
  - d. A structure used by the public
  - e. A structure subject to sections 4001 to 4127, title 42, United States Code (the National Flood Insurance Act of 1968) as amended, and regulations promulgated thereunder
- (3) **Agricultural Grading** means grading related to a farming practice as defined in ORS 30.930.
- (4) **Equine Facility** means a building located on a farm and used by the farm owner or the public for:
  - a. Stabling or training equines
  - b. Riding lessons and training clinics
- (5) **Equine Facility** does not mean:
  - a. A dwelling
  - b. A structure in which more than 10 persons are present at any one time
  - c. A structure regulated by the State Fire Marshal pursuant to ORS chapter 476
  - d. A structure subject to sections 4001 to 4127, title 42, United States Code (the National Flood Insurance Act of 1968) as amended, and regulations promulgated thereunder

Notwithstanding the provisions of subsection (1) of this section, incorporated cities may regulate agricultural buildings and equine facilities within their boundaries pursuant to this chapter (formerly 456.758 and then 456.917; 1995 C.783 §1; 2003 C.74 §1; 2005 C.288).

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# Farm Agriculture/Equine Building Exemption Request

## Building Codes Services

800 S.E. Emigrant Ave., #260

Pendleton, OR 97801

Phone: 800-452-8156 • Fax: 541-276-9244 • Web: [www.oregon.gov/bcd](http://www.oregon.gov/bcd)

Email: [building.department@oregon.gov](mailto:building.department@oregon.gov)

APPLICANT INFORMATION		
Owner/Applicant Name:	Phone:	
Email:		
Mailing address:		
City:	State:	ZIP:
Job Site Address:		
City:	State:	ZIP: County:
<i>Directions to job site:</i>		
<b>PROPOSED BUILDING INFORMATION</b> (A plot plan <i>must</i> be attached to this application)		
1. Is the subject building location on a farm and used in the operation of the farm? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If the answer is "no", it cannot be farm exempt. Submit building permit application, local government approvals, plans and fees to Building Codes Services.</i>		
2. Which of the following systems will the proposed structure have? <input type="checkbox"/> Electrical <input type="checkbox"/> Mechanical <input type="checkbox"/> Boiler <input type="checkbox"/> Plumbing ( <i>DEQ authorization required prior to approval</i> ) <i>A separate permit is required for each of these four systems.</i>		
3. Will this structure be used by the public at any time? <input type="checkbox"/> Yes <input type="checkbox"/> No		
4. What is the proposed maximum number of people (including employees, owners, etc.) that will be in the building at any one time?		
5. Check which of the following agricultural building uses apply to your building:		
<input type="checkbox"/> Storage, maintenance, or repair of farm machinery, equipment, and supplies used on this farm.		
<input type="checkbox"/> Raising, harvesting, or selling of crops raised on this farm.		
<input type="checkbox"/> Feeding, breeding, management, and sale of livestock, poultry, fur-bearing animals, or honeybees on this farm.		
<input type="checkbox"/> Dairy and sale of dairy products produced on this farm.		
<input type="checkbox"/> Other agricultural, horticultural, or animal husbandry use.		
<input type="checkbox"/> Equine facility: stabling, training, riding lessons, clinics.		
6. Agricultural building <u>MAY NOT</u> be used for any residential or non-agricultural purpose. <i>Describe specific use:</i>		
I have received a copy of ORS 455.315 (see page 2 of this form), definition of agricultural building. I understand that if the subject building is used for or converted to non-agricultural use (eg. Garage, home occupancy, etc.), I must obtain a building permit before the conversion. Failure to obtain appropriate permits may result in action to enforce the applicable building codes for such structure and use. I understand that post-occupancy inspection may be made to ensure continuing compliance with the agricultural building requirements.		
_____ <i>Signature of Owner/Authorized Agent</i>	_____ <i>Date</i>	_____ <i>Print Name</i>
OFFICIAL USE ONLY (Not valid until <i>all</i> signatures are received)		
<b>Zoning</b> <input type="checkbox"/> Approved <input type="checkbox"/> Denied	<b>Sanitation</b> <input type="checkbox"/> Approved <input type="checkbox"/> Denied	<b>Building Official</b> <input type="checkbox"/> Approved <input type="checkbox"/> Denied
Print name:	Print name:	Print name:
Signature:	Signature:	Signature:
Date:	Date:	Date:
<b>Flood Hazard</b> <input type="checkbox"/> Yes <input type="checkbox"/> No		