



# Farm Agriculture/Equine Building Exemption Request

## **Mid-Columbia Building Codes Services**

312 Court St., Suite 415

The Dalles, OR 97058

P: (541) 298-4461 F: (541) 298-2667

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 MCBCS field office:

- The counties of Wasco, 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. If the building will be wired, Page 4 of this form must be completed.
4. Sign and date the form.
5. Obtain approval and signature from the local planning office (*BCS 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, BCS will not exempt the building.*)
6. If the building will contain plumbing, sanitation approval from the DEQ or Wasco County Health Department will be required prior to approval.
7. If the form is approved, submit it to MCBCS at:  
Mid-Columbia Building Codes Services  
Attn: Bob Futter  
312 Court St, Suite 415  
The Dalles, OR 97058  
OR Fax: (541) 298-2667

### **APPROVAL PROCESS**

BCS 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.

***Continue to Page 2***

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

Nothing in this chapter is intended to authorize the application of a state structural specialty code to any agricultural building, agricultural 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 of, or 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 there under.
- (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 ten (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 there under.

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)

***Continue to Page 3***



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### APPLICANT INFORMATION

Owner/Applicant Name: \_\_\_\_\_ Phone: (\_\_\_\_) \_\_\_\_\_

Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Job Site Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Tax Lot#: \_\_\_\_\_

**Directions to Job Site:**

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### PROPOSED BUILDING INFORMATION (A plot plan *must* be attached to this application)

- Is the subject building located on a farm and used in the operation of the farm?  Yes  No  
*If the answer is 'no' it cannot be farm exempt. Submit building permit application, local government approvals, plans and fees to Mid-Columbia Building Codes Services.*
- Which of the following systems will the proposed structure have?  
 Electrical (*see page 4*)  Mechanical  Boiler  Plumbing (*DEQ authorization required prior to approval*)  
**A Separate permit is required for each of these four systems.**
- Will this structure be used by the public at any time?  Yes  No
- What is the proposed maximum number of people (including employees, owners, etc.) that will be in the building at any one time? \_\_\_\_\_
- Check which of the following agricultural-building uses apply to your building:
  - Storage, maintenance, and repair of farm machinery, equipment, and supplies used on this farm.
  - Raising, harvesting, or selling of crops raised on this farm.
  - Feeding, breeding, management, and sale of livestock, poultry, furbearing animals, or honeybees on this farm.
  - Dairying and sale of dairy products produced on this farm.
  - Other agricultural, horticultural, or animal husbandry use.
  - Equine facility: Stabling, training, riding lessons, clinics.
- Agricultural building **MAY NOT** be used for any residential or non-agricultural purpose.

*Describe specific use:* \_\_\_\_\_

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 (e.g. 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 a post-occupancy inspection may be made to ensure continuing compliance with the agricultural-building requirements.

\_\_\_\_\_  
*Signature of Owner/Authorized Agent*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Print Name*

### OFFICIAL USE ONLY (Not valid until *all* signatures are received)

**Zoning**  Approved  Denied

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Flood Hazard**  Yes  No

**Sanitation**  Approved  Denied

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Building Official**  Approved  Denied

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



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### THIS PORTION **MUST BE COMPLETED** IF THE BUILDING WILL CONTAIN ELECTRICAL WIRING

1. Will there be a concrete slab either within or immediately adjacent to the building?  Yes  No
2. Will there be farm animals (poultry excluded) within the building at any time?  Yes  No  
On the slab?  Yes  No

**(If the answer to questions 1 & 2 is YES, see 'A' below. An electrical permit is required before placing concrete).**

3. Will the building be used for storage of feed, hay, or straw?  Yes  No
4. Will the building be used for major repair of motor vehicle equipment?  Yes  No  
*The National Electrical Code defines major repair as... "engine overhauls, painting, body and fender work, and repairs that require draining of the motor vehicle fuel tank."*

### Electrical concerns if an answer to any of the above questions is yes:

- A. If there is a concrete slab either in the building or immediately adjacent, in an area where farm animals will occupy or stand at any time, the animals may be either distressed or killed by current that would not affect humans. The slab is required to have an electrical grounding system (547.10).
- B. If the building is used for storing feed, hay, or straw, the electrical wiring must be installed in a dustproof manner [547.5 (C), 547.I (A)].
- C. If the building is used for major repairs of motor vehicle equipment, the electrical wiring may have to meet special wiring requirements (547.3) (Article 500-501)

These electrical requirements are not difficult or expensive when incorporated during original building construction. However, they can be expensive to retrofit.

If the answer to both items 1 & 2 above are 'YES' contact the local electrical inspector or your electrical contractor to determine the requirements for the grounding system in the slab prior to placing the concrete.

Provide your electrical contractor with a copy of this page or contact the local electrical inspector for specific requirements before beginning electrical work.

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_