

# Farm Agriculture/Equine Building Exemption Request

## INSTRUCTIONS

Oregon Revised Statute 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. Appropriate permits for electrical, mechanical, plumbing and/or septic permits are still required.

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. *The property shall be zoned and operated as a farm to qualify for a structural exception.*
6. If the building will contain plumbing, sanitation approval from the appropriate sanitation authority shall be included with the application.

### **455.315 Exemption of agricultural buildings, agricultural grading, equine facilities and dog training facilities.**

- (1) The provisions of this chapter do not authorize the application of a state structural specialty code to any agricultural building, agricultural grading or equine facility.
- (2) As used in this section:
  - (a) "Agricultural building" means a structure located on a farm or forest operation and used for:
    - (A) Storage, maintenance or repair of farm or forestry machinery and equipment;
    - (B) The raising, harvesting and selling of crops or forest products;
    - (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; or
    - (E) Any other agricultural, forestry 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, the preparation and storage of forest products and the disposal, by marketing or otherwise, of farm produce or forest products.
  - (b) "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; or
    - (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.
  - (c) "Agricultural grading" means grading related to a farming practice as defined in ORS 30.930 (Definitions for ORS 30.930 to 30.947).
  - (d) "Equine facility" means a building located on a farm and used by the farm owner or the public for:
    - (A) Stabling or training equines; or
    - (B) Riding lessons and training clinics.
  - (e) "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; or
    - (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.
- (3) 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 §3; 2013 c.73 §3]



Farm Agriculture/Equine Building Exemption Request

Coos County  
 Community Development  
 1155 S 5TH ST.  
 Coos Bay, OR 97420  
 541-266-1098  
 www.co.coos.or.us/community-dev  
 building@co.coos.or.us

**APPLICANT INFORMATION**

Owner/applicant name:		Phone:	
Email:			
Mailing address:			
City:	State:	ZIP:	
Job site address:			
City:	State:	ZIP:	County:
Directions to job site:			

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

- Is the subject building location on a farm and used in the operation of the farm?  Yes  No  
 If no, it cannot be farm exempt. Submit permit application, local approvals, plans and fees to Building Codes Services.
- Which of the following systems will the proposed structure have? **Separate permits are required for each system.**  
 Electrical  Mechanical  Boiler  Plumbing (DEQ authorization required before approval)
- 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, or repair of farm machinery, equipment, and supplies used on this farm  
 Raising, harvesting, or selling of crops raised on this farm  
 Feeding, breeding, management, or sale of livestock, poultry, fur-bearing animals, or honeybees on this farm  
 Dairy and sale of dairy products produced on this farm  
 Other agricultural, horticultural, or animal husbandry use  
 Equine facility: stabling, training, riding lessons, clinics  
 Dog training facility
- Describe specific use: \_\_\_\_\_

**OWNER SIGNATURE**

I have received a copy of ORS 455.315 (see page 1 of this form), definition of agricultural building. I understand that if the subject building is used for or converted to non-agricultural use (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.

\_\_\_\_\_  
*Signature of owner/authorized agent*

\_\_\_\_\_  
*Print name*

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

**OFFICIAL USE ONLY (Not valid until *all* 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		