



GUIDELINES

Farm Agricultural Building Exemption Certification and Agreement

Structures that meet the definition of “agricultural building” or “equine facility” are exempt from the Oregon Structural Specialty Code, and thus do not need a building permit. Plumbing, mechanical and electrical work will require separate permits and their inspections. One of the standards used to determine eligibility is whether the property is being assessed as farmland by the Morrow County Assessor’s Office. For further information, refer to Oregon Revised Statutes 455.315.

To Qualify for a Farm Agricultural Building Exemption Certificate, applicants must show that the structure meets the definition of an agricultural building and that the structure will be located on a farm. In Morrow County parcels that are zoned Exclusive Farm Use meet the Uniform Building Code definition of farm. Parcels that are not zoned EFU but qualify for special farm deferral tax assessment, are considered to meet the definition of farm.

An Exempt structure is located on a farm*, and is either:

- for stabling or training equines, or for riding lessons and training clinics (“Equine Facility”); or
- used in a farming operation for storage, maintenance or repair of farm machinery and equipment, the raising, harvesting and selling of crops, the feeding, breeding, management and sale of the production of, livestock, poultry, fur-bearing animals or honeybees, for dairy use and the sale of dairy products or any combination thereof, including the preparation and storage of the produce raised on such farm for human use, animal use and disposal by marketing or otherwise (“Agricultural Building”).

An Exempt structure may not:

- be a dwelling;
- have 10 or more persons present at any one time (unless the structure is used for growing plants);
- be a structure regulated by the State Fire Marshal pursuant to ORS Chapter 476;
- be used by the public (except for an equine facility); or
- be in the regulatory flood plain.

**A farm is defined as land used for the primary purpose of obtaining a profit in money through the activities listed for “Agricultural Building”, above.*

To Apply for an Exemption:

- Demonstrate the parcel qualifies for farm deferral;
- Fill out and sign the attached Farm Agriculture Building Exemption Certification. Clearly state the intended use of the building in order for the Planning Director to determine qualification. Provide your property description, a detailed plot plan, noting where the proposed building will be located in relation to other buildings on the property and where access is taken to enter property;
- Fill out and sign a Zoning Approval form as would be required for any new structure in the County.

To Complete the Exemption:

- Once the Zoning Approval and Certification have been signed by the Planning Director or designee the Farm Agricultural Building Agreement must be notarized and recorded in the Clerk’s Office against the Deed Record.

Additional Information: Structures Requiring Building Permits

Examples of structures on farm property requiring building permits that are commonly confused with agricultural-exempt structures:

1. Buildings open to the public (public has access) such as, but not limited to, farm produce stands, greenhouses, nurseries, auction barns, etc;
2. Horse facilities where 10 or more people are present at any one time;
3. Structures used for storage of RVs, trailers, motor homes, boats, motorcycles, cars, pickups, and any licensed vehicles;
4. Shops (on farm property) used for private or commercial non-farm use.
5. Hobby shops (metal, wood, ceramics, etc.);
6. Structures on farm property used for private or commercial non-farm storage;
7. Agricultural-exempt structures in a designated flood plain;
8. Structures determined not to be agricultural-exempt by the Building Official based on the intent of the statute;
9. Employee meeting rooms and offices;

The Farm Agricultural Exemption applies only to the structural building permit. When installed, electrical, plumbing, and mechanical permits are still always required. It is important to note that an electrical inspection is required prior to pouring a concrete slab. Electrical wiring methods must also comply with Article 547.5 of the Electrical Specialty Code. It is important to understand how these issues will affect construction prior to proceeding as they can be costly to address later.

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