

House Bill 2062

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on General Government and Consumer Protection)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits application of state structural specialty code to preexisting farm building or other building used as dog training facility.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to dog training facilities; amending ORS 455.315; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 455.315 is amended to read:

5 455.315. (1) Nothing in this chapter is intended to authorize the application of a state structural
6 specialty code to any agricultural building, agricultural grading, **dog training facility** or equine
7 facility.

8 (2) As used in this section:

9 (a) "Agricultural building" means a structure located on a farm and used in the operation of the
10 farm for:

11 (A) Storage, maintenance or repair of farm machinery and equipment;

12 (B) The raising, harvesting and selling of crops;

13 (C) The feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-
14 bearing animals or honeybees;

15 (D) Dairying and the sale of dairy products; or

16 (E) Any other agricultural or horticultural use or animal husbandry, or any combination thereof,
17 including the preparation and storage of the produce raised on the farm for human use and animal
18 use and disposal by marketing or otherwise.

19 (b) "Agricultural building" does not mean:

20 (A) A dwelling;

21 (B) A structure used for a purpose other than growing plants in which 10 or more persons are
22 present at any one time;

23 (C) A structure regulated by the State Fire Marshal pursuant to ORS chapter 476;

24 (D) A structure used by the public; or

25 (E) A structure subject to sections 4001 to 4127, title 42, United States Code (the National Flood
26 Insurance Act of 1968) as amended, and regulations promulgated thereunder.

27 (c) "Agricultural grading" means grading related to a farming practice as defined in ORS 30.930.

28 **(d) "Dog training facility" means a preexisting farm building used pursuant to ORS**
29 **215.213 (1)(z) or 215.283 (1)(x) or other building used pursuant to ORS 215.213 (2)(k) or 215.283**
30 **(2)(n) by the farm owner or the public to conduct dog training classes or testing trials.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (e) “Dog training facility” does not mean:

2 (A) A dwelling;

3 (B) A structure used for a purpose other than dog training classes or testing trials in
4 which more than 10 persons are present at any one time;

5 (C) A structure regulated by the State Fire Marshal pursuant to ORS chapter 476; or

6 (D) A structure subject to sections 4001 to 4127, title 42, United States Code (the National
7 Flood Insurance Act of 1968) as amended, and regulations promulgated thereunder.

8 [(d)] (f) “Equine facility” means a building located on a farm and used by the farm owner or the
9 public for:

10 (A) Stabling or training equines; or

11 (B) Riding lessons and training clinics.

12 [(e)] (g) “Equine facility” does not mean:

13 (A) A dwelling;

14 (B) A structure in which more than 10 persons are present at any one time;

15 (C) A structure regulated by the State Fire Marshal pursuant to ORS chapter 476; or

16 (D) A structure subject to sections 4001 to 4127, title 42, United States Code (the National Flood
17 Insurance Act of 1968) as amended, and regulations promulgated thereunder.

18 (3) Notwithstanding the provisions of subsection (1) of this section, incorporated cities may
19 regulate agricultural buildings, **dog training facilities** and equine facilities within their boundaries
20 pursuant to this chapter.

21 **SECTION 2. This 2013 Act being necessary for the immediate preservation of the public**
22 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
23 **on its passage.**

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