

**Enrolled**  
**House Bill 2441**

Sponsored by Representative JOHNSON; Representatives BOONE, CLEM, ESQUIVEL, JENSON, Senators GIROD, ROBLAN (at the request of Oregon Small Woodlands Association) (Pre-session filed.)

CHAPTER .....

AN ACT

Relating to use of agricultural building; creating new provisions; and amending ORS 455.315.

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

**SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS 215.700 to 215.780.**

**SECTION 2. (1) An agricultural building, as defined in ORS 455.315, customarily provided in conjunction with farm use or forest use is an authorized use on land zoned for forest use or for mixed farm and forest use.**

**(2) A person may not convert an agricultural building authorized by this section to another use.**

**SECTION 3. ORS 455.315 is amended to read:**

455.315. (1) *[Nothing in this chapter is intended to]* **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 *[in the operation of the farm]* 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.

(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.

**Passed by House February 28, 2013**

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Ramona J. Line, Chief Clerk of House

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Tina Kotek, Speaker of House

**Passed by Senate April 30, 2013**

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Peter Courtney, President of Senate

**Received by Governor:**

.....M.,....., 2013

**Approved:**

.....M.,....., 2013

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John Kitzhaber, Governor

**Filed in Office of Secretary of State:**

.....M.,....., 2013

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Kate Brown, Secretary of State