

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.)

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**.

Authorizes person to use agricultural building on land zoned for forest use or mixed farm and forest use. Authorizes forestry-related use of agricultural building that is not subject to state structural specialty code.

A BILL FOR 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. A person may use an agricultural building, as defined in ORS 455.315, on land zoned for forest use or mixed farm and forest use.

SECTION 2. 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.

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 (d) "Equine facility" means a building located on a farm and used by the farm owner or the
2 public for:

3 (A) Stabling or training equines; or

4 (B) Riding lessons and training clinics.

5 (e) "Equine facility" does not mean:

6 (A) A dwelling;

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

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

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

11 (3) Notwithstanding the provisions of subsection (1) of this section, incorporated cities may
12 regulate agricultural buildings and equine facilities within their boundaries pursuant to this chapter.
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