

Requested by Representative POST

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 3318**

1 On page 1 of the printed A-engrossed bill, line 2, after “land” insert “;
2 creating new provisions; amending ORS 455.315”.

3 In line 13, delete “this 2021 Act is” and insert “sections 2 to 9 of this 2021
4 Act are”.

5 On page 6, after line 18 insert:

6 **“SECTION 11.** ORS 455.315 is amended to read:

7 “455.315. (1) The provisions of this chapter do not authorize the applica-
8 tion of a state structural specialty code to any agricultural building, agri-
9 cultural grading [*or*], equine facility **or dog training facility**.

10 “(2) As used in this section:

11 “(a)(A) ‘Agricultural building’ means a structure located on a farm or
12 forest operation and used for:

13 “[A] (i) Storage, maintenance or repair of farm or forestry machinery
14 and equipment;

15 “[B] (ii) The raising, harvesting and selling of crops or forest products;

16 “[C] (iii) The feeding, breeding, management and sale of, or the produce
17 of, livestock, poultry, fur-bearing animals or honeybees;

18 “[D] (iv) Dairying and the sale of dairy products; or

19 “[E] (v) Any other agricultural, forestry or horticultural use or animal
20 husbandry, or any combination thereof, including the preparation and stor-
21 age of the produce raised on the farm for human use and animal use, the

1 preparation and storage of forest products and the disposal, by marketing or
2 otherwise, of farm produce or forest products.

3 “[*b*] (B) ‘Agricultural building’ does not mean:

4 “[*A*] (i) A dwelling;

5 “[*B*] (ii) A structure used for a purpose other than growing plants in
6 which 10 or more persons are present at any one time;

7 “[*C*] (iii) A structure regulated by the State Fire Marshal pursuant to
8 ORS chapter 476;

9 “[*D*] (iv) A structure used by the public; or

10 “[*E*] (v) A structure subject to sections 4001 to 4127, title 42, United
11 States Code (the National Flood Insurance Act of 1968) as amended, and
12 regulations promulgated thereunder.

13 “[*c*] (b) ‘Agricultural grading’ means grading related to a farming prac-
14 tice as defined in ORS 30.930.

15 “(c) ‘**Dog training facility**’ means a farm building used for dog
16 training classes or testing trials permitted under ORS 215.213 (1)(z) or
17 215.283 (1)(x) in which no more than 10 persons are present at any one
18 time.

19 “(d)(A) ‘Equine facility’ means a building located on a farm and used by
20 the farm owner or the public for:

21 “[*A*] (i) Stabling or training equines; or

22 “[*B*] (ii) Riding lessons and training clinics.

23 “[*e*] (B) ‘Equine facility’ does not mean:

24 “[*A*] (i) A dwelling;

25 “[*B*] (ii) A structure in which more than 10 persons are present at any
26 one time;

27 “[*C*] (iii) A structure regulated by the State Fire Marshal pursuant to
28 ORS chapter 476; or

29 “[*D*] (iv) A structure subject to sections 4001 to 4127, title 42, United
30 States Code (the National Flood Insurance Act of 1968) as amended, and

1 regulations promulgated thereunder.

2 “(3) Notwithstanding the provisions of subsection (1) of this section, in-
3 corporated cities may regulate agricultural buildings, [*and*] equine facilities
4 **and dog training facilities** within their boundaries pursuant to this chap-
5 ter.”.

6 In line 19, delete “11” and insert “12”.

7 In line 22, delete “12” and insert “13”.

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