

# House Bill 2675

Sponsored by Representative OWENS; Representative SMITH DB (at the request of Dan Corn) (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**.

Provides that state structural specialty code does not apply to structure located on farm or forest operation and used for purpose related to agriculture that requires not more than 20 persons to occupy structure at any one time outside of harvest season or not more than 40 persons to occupy structure at any one time during harvest season.

## A BILL FOR AN ACT

1  
2 Relating to agricultural buildings; amending ORS 455.315.

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) The provisions of this chapter do not authorize the application of a state structural  
6 specialty code to any agricultural building, agricultural grading, equine facility or dog training fa-  
7 cility.

8 (2) As used in this section:

9 (a)(A) "Agricultural building" means a structure located on a farm or forest operation and used  
10 for:

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

12 (ii) The raising, harvesting and selling of crops or forest products;

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

15 (iv) Dairying and the sale of dairy products; *[or]*

16 **(v) A purpose related to agriculture that requires not more than 20 persons to occupy  
17 the structure at any one time outside of a harvest season or, during a harvest season, not  
18 more than 40 persons to occupy the structure at any one time; or**

19 *[(v)]* **(vi)** Any other agricultural, forestry *[(v)]* horticultural use or animal husbandry, or any  
20 combination thereof, including the preparation and storage of the produce raised on the farm for  
21 human use and animal use, the preparation and storage of forest products and the disposal, by  
22 marketing or otherwise, of farm produce or forest products.

23 (B) "Agricultural building" does not mean:

24 (i) A dwelling;

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

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

28 *[(iv)]* **(iii)** A structure used by the public; or

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

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

2 (c) "Dog training facility" means a farm building used for dog training classes or testing trials  
3 permitted under ORS 215.213 (1)(z) or 215.283 (1)(x) in which no more than 10 persons are present  
4 at any one time.

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

7 (i) Stabling or training equines; or

8 (ii) Riding lessons and training clinics.

9 (B) "Equine facility" does not mean:

10 (i) A dwelling;

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

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

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

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

18 (4) An agricultural building may be used for uses in addition to the uses listed in subsection  
19 (2)(a)(A) of this section if the additional uses:

20 (a) Are incidental and accessory to the uses listed in subsection (2)(a)(A) of this section;

21 (b) Are personal to the farm owner and the farm owner's immediate family or household; and

22 (c) Do not pose a greater hazard to persons or property than the uses listed in subsection  
23 (2)(a)(A) of this section.

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