

Jefferson County Ordinance # 10-03

Agricultural Building Exemption Ordinance


This ordinance has been written pursuant to (Idaho Code) I.C. 39-4116 Subsection 5, and I.C. 63-604, as well as the 2006 IBC (International Building Codes) Section 202 and Appendix C101.1.

The purpose of this ordinance is to relieve farmers in Jefferson County of meeting adopted building requirements.

Sections:

- 1.) An agricultural Building is a structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products, including but not limited to the following:
 - Livestock shelters or buildings, including shade structures and milking barns for personal consumption.
 - Poultry buildings or shelters.
 - Barns, storage of equipment and machinery used **exclusively** in agriculture.
 - Horticultural structures, including detached production greenhouses and crop production shelters.
 - Sheds.
 - Grain silos.
 - Stables (Not used to board outside animals for a profit).
- 2.) These structures shall not be used for a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.
- 3.) The parcel upon which the exemption is sought must be an agricultural unit of land of five (5) acres or more. Aggregation of acreage may be allowed (several things grouped together or considered a whole).
- 4.) The agriculturally exempt structure must be utilized for a qualified agricultural use and shall not be converted to any alternate uses unless a conversion permit is issued and the structure is brought into compliance with the current building code before an occupancy permit could be issued. The structure shall not be rented out or used for commercial purposes.
- 5.) No RV's (Boats, camper, motor homes, etc...) will be stored in the structure.
- 6.) The structure will require a zoning permit and must comply with all required setbacks. The structure shall receive a layout inspection and a final inspection to verify setbacks and completion of the project.
- 7.) An agricultural structure shall be allowed in Residential-5 (R-5) and all agricultural zones unless the agricultural use is established at the time of the adoption of this policy.
- 8.) The structure must be physically located on the agriculturally used property.
- 9.) Ag exempt structures may be exempt from adopted building standards, however shall be constructed with viable building materials.
- 10.) All agriculturally exempt structures shall also be exempt from impact fees.
- 11.) The cost of an agricultural exempt/zoning permit shall be no more than \$250.00 total.
- 12.) The owner shall sign a statement acknowledging the above requirements, agreeing that the structure will remain in compliance with the same. If the agricultural exempt property is being leased or rented an affidavit from the property owner shall be turned into the Planning and Zoning Office before an ag exempt application will be accepted.
- 13.) Penalty: Any person in violation of this ordinance is guilty of a misdemeanor and shall be subject to punishment as set forth in Idaho Code 18-113, as amended.

Instrument # 387697

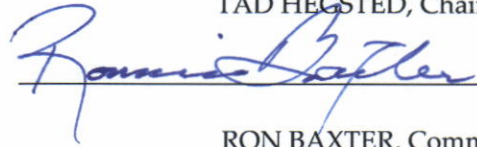
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CHRISTINE BOULTER Fee: 13.00
Ex-Officio Recorder Deputy 

Section: 14) This ordinance shall become effective upon its publication, approval and passage.

PASSED BY THE COUNTY COMMISSIONERS on this the 25th day of Oct., 2010.



TAD HEGSTED, Chairman



RON BAXTER, Commissioner



DEBBIE KARREN, Commissioner

ATTEST:



CHRISTINE BOULTER, County Clerk

(SEAL)