

Agricultural Building Permit Exemption

Purpose: To explain the procedures for processing agricultural building permit exemptions.

Lemhi County Ordinance #2008-1 provides exemptions for “Agricultural Buildings” The exemption shall apply only to a building that is an agricultural building as defined below:

1. Definitions.
 - a) “Agricultural Building” means a structure that is designed and constructed for one or more of the following purposes:
 - (1) Livestock shelters or buildings, including shade structures and milking barns;
 - (2) Poultry buildings or shelter;
 - (3) Barns;
 - (4) Storage of equipment and machinery used exclusively in agriculture;
 - (5) Horticultural structures, including detached production greenhouses and crop protection shelters;
 - (6) Sheds, but not sheds that are connected to public utilities, and/or on permanent foundations that are used as shops or garages;
 - (7) Grain silos; or
 - (8) Stables
 - b) “Equipment and machinery used exclusively in “agricultural” means to farm, implements and other equipment and machinery that are used exclusively on land actively devoted to agriculture.
 - c) “Land actively devoted to agriculture” means real property meeting the eligibility criteria for appraisal, assessment and taxation as agricultural property set forth in Idaho Code 63-604
 - d) The above definitions shall supersede any definitions of these terms that are contained in the IBC
2. Exemption from Building Code Requirements. A building that meets the definition of “agricultural building” contained in subsection(1) above shall be exempt from the requirements of the building codes enumerated in Chapter 41 Title 39, Idaho Code and the rules promulgated by the Idaho Building Code Board, to the extent such exemption is provided in Idaho Code 39-4116, provided that both of the following criteria are met:

- a. The building is used solely for one or more of the purposes listed in subsection (1)(a) above; and
 - b. The property on which the building is sited has been determined by the Lemhi County Assessor to be land actively devoted to agriculture.
3. Requirements applicable to Agricultural Buildings. Notwithstanding any other provision of the ordinance the following requirements shall apply to agricultural buildings.
 - a. An agricultural building shall not be:
 - (1) Used as a place of human habitation; or
 - (2) Used as a place of employment where agricultural products are processed, treated or packaged; or
 - (3) Open to use by the public; or
 - (4) A shop and/or machinery repair building; or
 - (5) A garage or building used for storage of personal use vehicles and/or vehicles licensed for use on public roads.
 - b. All agricultural buildings shall conform to the minimum placement standards established pursuant to the Lemhi County Development Code.
 - c. All agricultural buildings shall conform with the minimum snow, wind, frost, seismic, and all other engineering requirements of the code for safety reasons.
 - d. The owner of the agricultural building will obtain a site permit from the Lemhi County Building Department.

Required Application Materials:

1. Complete application for Agricultural Building Permit Exemption must be submitted by the property owner.
2. Plot plan showing distances from all property lines and existing buildings, rivers, streams, creeks and ditches located on the subject property (the Lemhi County Building Department must be able to locate all property lines at time of site evaluation to determine proper setback requirements. This is not the responsibility of the county so please make sure your property lines are clearly marked)
3. Proof that subject property is considered to be “agricultural” through the Lemhi County Assessor’s Office.

Application for Agricultural Building Permit Exemption

Property Owners Name:	Contact Phone #
Mailing Address:	Site Address:
City/St: Zip:	City/St Zip:
Size of Proposed Building:	RP#
Length/Width/Height:	
Use of Proposed Building:	

In accordance with provisions of Lemhi County Ordinance #2008-1, I hereby request an agricultural building permit exemption. This application is for a building that will only be used for housing farm machinery, animals, supplies or products that are harvested from or utilized on the same parcel of land as the proposed building.

The proposed building complies with the following:

1. The building will comply with the minimum snow, wind, frost, seismic, and all other engineering requirements of the code for safety reasons.
2. The building will comply with all setbacks as set forth in the Lemhi County Development Code
3. If this buildings use is changed from agricultural an engineering report as well as a building permit will be required before the building can be occupied for any other use but agricultural.
4. The project will be located on property zoned agricultural by the Lemhi County Assessor's Office

I agree to comply with all county Ordinances and State Law regulating building construction. I agree that construction on the proposed building shall not commence until the site evaluation has been completed and I have received written notification of approval from the Lemhi County Building Department

Signature Of Property Owner: _____ Date: _____

Approval for Agricultural Building Permit Exemption:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Authorized Signature:	Date: