

Requested by Representative BREESE-IVERSON

**PROPOSED AMENDMENTS TO
HOUSE BILL 2611**

1 On page 1 of the printed bill, delete lines 5 through 31 and delete page
2 2 and insert:

3 **SECTION 1.** ORS 455.315 is amended to read:

4 “455.315. (1) The provisions of this chapter do not authorize the applica-
5 tion of a state structural specialty code to any agricultural building, agri-
6 cultural grading or equine facility.

7 “(2) As used in this section:

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

10 “(A) Storage, maintenance or repair of farm or forestry machinery and
11 equipment;

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

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

15 “(D) Dairying and the sale of dairy products; or

16 “(E) Any other agricultural, forestry or horticultural use or animal
17 husbandry, or any combination thereof, including the preparation and stor-
18 age of the produce raised on the farm for human use and animal use, the
19 preparation and storage of forest products and the disposal, by marketing or
20 otherwise, of farm produce or forest products.

21 “(b) ‘Agricultural building’ does not mean:

1 “(A) A dwelling;

2 “(B) A structure used for a purpose other than growing plants in which
3 10 or more persons are present at any one time;

4 “(C) A structure regulated by the State Fire Marshal pursuant to ORS
5 chapter 476;

6 “(D) A structure used by the public; or

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

10 “(c) ‘Agricultural grading’ means grading related to a farming practice
11 as defined in ORS 30.930.

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

14 “(A) Stabling or training equines; or

15 “(B) Riding lessons and training clinics.

16 “(e) ‘Equine facility’ does not mean:

17 “(A) A dwelling;

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

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

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

25 “(3) Notwithstanding the provisions of subsection (1) of this section, in-
26 corporated cities may regulate agricultural buildings and equine facilities
27 within their boundaries pursuant to this chapter.

28 **“(4) An agricultural building may be used for uses in addition to the
29 uses listed in subsection (2)(a) of this section if the additional uses:**

30 **“(a) Are incidental and accessory to the uses listed in subsection**

1 **(2)(a) of this section;**

2 **“(b) Are personal to the farm owner and the farm owner’s imme-**
3 **diate family or household; and**

4 **“(c) Do not pose a greater hazard to persons or property than the**
5 **uses listed in subsection (2)(a) of this section.”.**

6 _____