



Farm Structure Exemption
 Madison County Building Department
 410 N. Main St. Madison, VA 22727 Phone
 (540) 948-6102

Farm buildings and structures are exempt from the Virginia Uniform Statewide Building Code (USBC). To qualify for the exemption, the structure must be used for the specific purpose that is directly related to farming operations. The Code of Virginia section 36-97, and the Virginia USBC defines farms buildings and structures as follows:

Farm Building (Structure): A building or structure not used for residential purposes, located on property where farming operations take place, and is used primarily for any of the following uses or combinations thereof:

- 1) storage, handling, production, display, sampling or sale of agricultural, horticultural, floricultural or silvicultural products produced on the farm;
- 2) sheltering, raising, handling, processing or sale of agricultural animals or agricultural animal products;
- 3) business or office uses relating to the farm operations
- 4) use of farm machinery or equipment or maintenance or storage of vehicles, machinery or equipment used on a farm;
- 5) storage or use of supplies and materials used on the farm; or
- 6) Implementation of best management practices associated with farm operations.

Such buildings or structures lying within a floodplain or in a mudslide-prone area are subject to flood proofing and mudslide regulations. The exemption does not apply to any building or portion thereof used as a restaurant and licensed by the Board of Health.

Please answer the following questions to verify the structure qualifies as farm exempt:

1. Is the property currently being used as a farm operation? Yes No
"Farm operation/Agricultural operation" means any operation devoted to the bona fide production of crops, or animals, or fowl including the production of fruits and vegetables of all kinds; meat, dairy, and poultry products; nuts, tobacco, nursery, and floral products; and the production and harvest of products from silviculture activity (§ 3.2-300).
2. Is the identified structure intended to be used for one or more of the following: Yes No
 - a. The storage, handling, production, display, sampling or sale of any items listed in Question 1
 - b. For sheltering, raising, handling, or processing of agricultural animals or animal products
 - c. The maintenance, storage or use of equipment or materials related to the activities listed in question 1
 - d. For business or office use or implementation of best management practices associated with the farm use

If you answered **NO** to either question, the structure is not exempt from requirements of the USBC. If you answered **YES** to both questions, please complete the affidavit below; and provide documentation showing the property is a farm operation (Schedule C, Schedule F, or other approved/acceptable documentation). A plot plan showing the proposed location of the farm structure is also required.

By completing the following affidavit, you are affirming that the identified structure meets the farm structure exemption of the USBC. **The structure is not exempt from other laws, regulations and ordinances including those of the Madison County Zoning Ordinance or Erosion and Sediment Control Ordinance.** Presentation of a false affidavit is a violation of the USBC (§ 36-106) and may also constitute a violation of other federal, state, and local regulations. A violation of the USBC shall be deemed a misdemeanor and conviction of such a violation shall be punished by a fine of not more than \$2,500. In addition, each day the violation continues after conviction, or the court-ordered abatement period has expired shall constitute a separate offense.

By signing this affidavit, you understand and agree that Madison County Building & Zoning staff are authorized to inspect the property to ensure compliance with this affidavit and any other pertinent laws, regulations, or ordinances.

Farm Structure Exemption Affidavit

Owner Information:

Owners Name: _____ Phone: _____

Property Address: _____

Mailing Address: _____

Tax Map: _____ Zoning: _____ Land Use: Yes No

Structure Information:

Size of structure: _____

Electrical Service to Structure: Yes No Electric Service Supplier: _____

Proposed Use: _____

I _____ have read and understand the above and affirm that the structure identified qualifies for farm exemption. I also consent to County staff performing inspections to ensure compliance.

Owners Signature (Must be signed in front of Notary)

Date

City/County of

Commonwealth of Virginia

The foregoing instrument was acknowledged before me this _____ day of _____, 20__ by

(Name of person seeking acknowledgment)

Notary Public's signature

Notary registration number:

My commission expires:

***** FOR OFFICIAL USE ONLY *****

Zoning Approval Building Approval

Erosion & Sediment Control Approval

Flood Zone

Copy of Documentation Provided (yes or no):