



AGRICULTURAL NON-RESIDENTIAL FARM BUILDING/FARM FENCE/FARM SIGN EXEMPTION APPLICATION

PERMITS ARE NOT REQUIRED FOR ANY STRUCTURE/ ELECTRICAL/ PLUMBING/GAS OR MECHANICAL WORK BEING PERFORMED FOR OR IN ANY “NON-RESIDENTIAL FARM BUILDING, FARM FENCE, OR FARM SIGN” (FLORIDA STATUTES 604.50 & 553.73 AND FLORIDA BUILDING CODE 102.2 (C))

604.50 Nonresidential farm buildings; farm fences; farm signs.-

(1) Notwithstanding any provision of law to the contrary, any nonresidential farm building, farm fence, or farm sign that is located on lands used for bona fide agricultural purposes, is exempt from the Florida Building Code and any county or municipal code or fee, except for code provisions implementing local, state, or federal floodplain management regulations. A farm sign located on a public road may not be erected, used, operated, or maintained in a manner that violates any of the standards provided in s. 479.11(4), (5)(a), and (6)-(8).

(2) As used in this section, the term:

(a) “Bona fide agricultural purposes” has the same meaning as provided in s. 193.461(3)(b).

(b) “Farm” has the same meaning as provided in s. 823.14.

(c) “Farm sign” means a sign erected, used, or maintained on a farm by the owner or lessee of the farm which relates solely to farm produce, merchandise, or services sold, produced, manufactured, or furnished on the farm.

(d) “Nonresidential farm building” means any temporary or permanent building or support structure that is classified as a nonresidential farm building on a farm under s. 553.73(10)(c) or that is used primarily for agricultural purposes, is located on land that is an integral part of a farm operation or is classified as agricultural land under s. 193.461, and is not intended to be used as a residential dwelling. The term may include, but is not limited to, a barn, greenhouse, shade house, farm office, storage building, or poultry house.



DEFINITION OF AGRICULTURAL PURPOSES

Chapter 193 – Assessments

Agricultural lands; classification and assessment; 193.461, Florida Statutes

(5) For the purpose of this section, **“agricultural purposes”** includes, but is not limited to, horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; bee; pisciculture, when the land is used principally for the production of tropical fish; aquaculture; sod farming; and all forms of farm products as defined in s. 823.14(3) and farm production.

DEFINITION OF FARM, ETC.

Chapter 823 – Florida Right to Farm Act

The following definitions can be found in Chapter 823 of the Florida Right to Farm Act.

Definitions; 823.14(3), Florida Statutes

- (a) **“Farm”** means the land, buildings, support facilities, machinery, and other appurtenances used in the production of farm or aquaculture products.
- (b) **“Farm operation”** means all conditions or activities by the owner, lessee, agent, independent contractor, and supplier which occur on a farm in connection with the production of farm, honeybee, or apiculture products and includes, but is not limited to, the marketing of produce at roadside stands or farm markets; the operation of machinery and irrigation pumps; the generation of noise, odors, dust, and fumes; ground or aerial seeding and spraying; the placement and operation of an apiary; the application of chemical fertilizers, conditioners, insecticides, pesticides, and herbicides; and the employment and use of labor.
- (c) **“Farm product”** means any plant, as defined in s. 581.011, or animal or insect useful to humans and includes, but is not limited to, any product derived there from.
- (d) **“Established date of operation”** means the date the farm operation commenced. If the farm operation is subsequently expanded within the original boundaries of the farmland, the established date of operation of the expansion shall also be considered as the date the original farm operation commenced. If the land boundaries of the farm are subsequently expanded, the established date of operation for each expansion is deemed to be a separate and independent established date of operation. The expanded operation shall not divest the farm operation of a previous established date of operation.



**AFFIDAVIT OF QUALIFICATION FOR NON-RESIDENTIAL FARM
BUILDING/ FARM FENCE/ FARM SIGN PERMIT EXEMPTION**

Property Owner: _____

Property Address (E- 911 Address): _____

Parcel ID: _____ Section: _____ Township: _____ Range: _____

Zoning District: _____ Future Land Use: _____ Acreage: _____

If the building is located in a flood zone, please contact the Development Services Floodplain Management Department at 941-742-5871.

Required Permits: Please be aware that permits for electrical and plumbing may be required by other governmental entities, such as utility companies or other state and federal agencies.



This is to certify that I _____ do hereby affirm that, as of the date set forth below, the building, fence, or sign at issue is located on lands used for bona fide agricultural purposes. Said property is either currently classified as agricultural land under section 193.461, Florida Statutes, or is currently an integral part of a farm operation as defined in section 823.14(3)(d), Florida Statutes.

Initial here: _____

I further affirm that the building at issue is currently being used primarily for agricultural purposes and is not intended to be used as a residential dwelling. The building satisfies the requirements set forth in section 604.50, Florida Statutes, in order to qualify for an exemption from the permit requirements of the Florida Building Code as a nonresidential farm building/ farm fence/ farm sign. I understand that if the land is no longer used for bona fide agricultural purposes, the structure at issue is no longer used primarily for agricultural purposes, the land is no longer classified as agricultural or an integral part of a farm operation, or if the structure is used as a residential dwelling, then I must inform the Manatee County Building Division and may, at that time, be required to apply for a building permit for the pre-existing structure. I further understand that pursuant to section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree.

Property Owner's Printed Name: _____

Property Owner's Address: _____ Phone Number: _____

Property Owner's Signature: _____ Date: _____

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ___ day of _____ (month), ___ (year), by _____ (name of person acknowledging) who is personally known to me or who has produced _____ (type of identification) as identification.

My Commission Expires: _____ Notary Signature: _____

Notary Stamp: