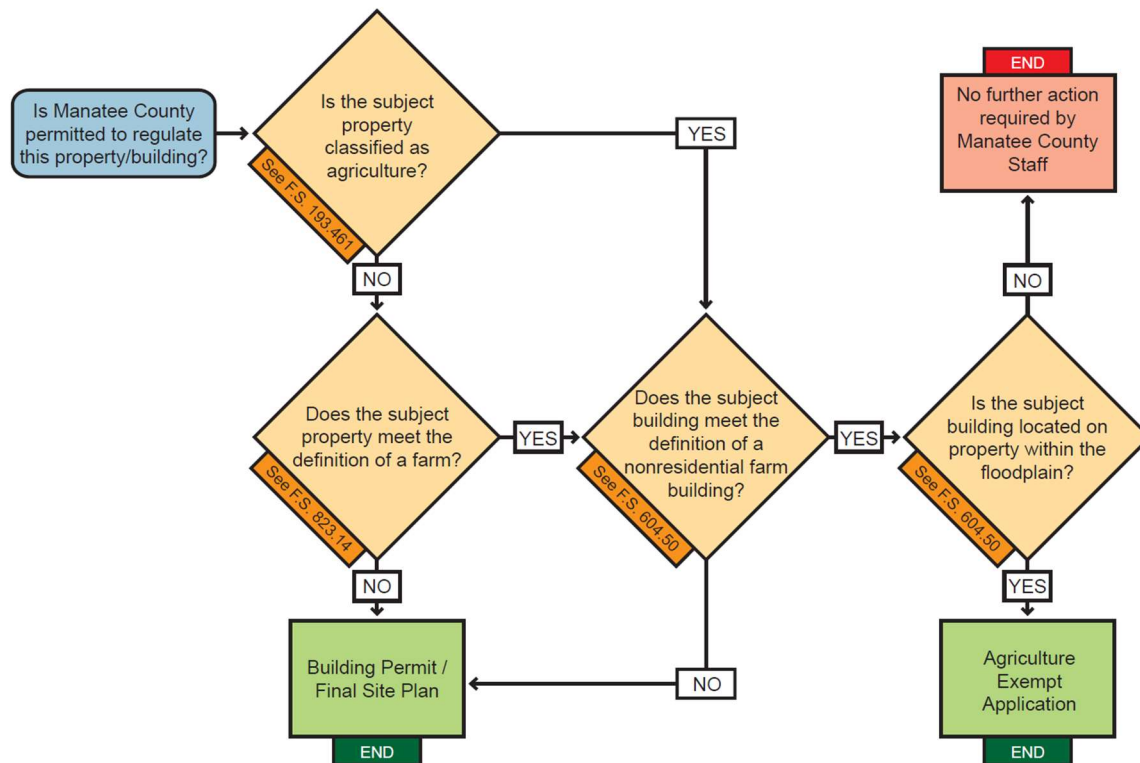




Agricultural Non-Residential Farm Building/Fence/Sign Exemption Application

Permits are not required for any structure, electrical, mechanical, plumbing, or gas work being performed in a “Non-Residential Farm Building”, per 2023 Florida Statutes 193.461(5), 553.73(10)(c), 604.50, 823.14(3), and the 2023 Florida Building Code, Building, Eighth Edition, 102.2(c)



2023 Florida Statutes

193.461 Agricultural lands; classification and assessment; mandated eradication or quarantine program; natural disasters.—

(5) For the purpose of this section, the term “agricultural purposes” includes, but is not limited to, horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; bee; pisciculture, if the land is used principally for the production of tropical fish; aquaculture as defined in s. 597.0015; algaculture; sod farming; and all forms of farm products as defined in s. 823.14(3) and farm production.

553.73 Florida Building Code.—

(10) The following buildings, structures, and facilities are exempt from the Florida Building Code as provided by law, and any further exemptions shall be as determined by the Legislature and provided by law:

(c) Nonresidential farm buildings on farms.

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, not including those lands used for urban

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agriculture, 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.
- (e) “Urban agriculture” has the same meaning as in s. 604.73(3).

823.14 Florida Right to Farm Act.—

(3) DEFINITIONS.—As used in this section:

- (a) “Agritourism activity” has the same meaning as provided in s. 570.86.
- (b) “Established date of operation” means the date the farm operation commenced. For an agritourism activity, the term “established date of operation” means the date the specific agritourism activity 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.
- (c) “Farm” means the land, buildings, support facilities, machinery, and other appurtenances used in the production of farm or aquaculture products.
- (d) “Farm operation” means all conditions or activities by the owner, lessee, agent, independent contractor, or supplier which occur on a farm in connection with the production of farm, honeybee, or apiculture products or in connection with complementary agritourism activities. These conditions and activities include, but are not limited to, the marketing of farm products at roadside stands or farm markets; the operation of machinery and irrigation pumps; the generation of noise, odors, dust, fumes, and particle emissions; ground or aerial seeding and spraying; the placement and operation of an apiary; the application of chemical fertilizers, conditioners, insecticides, pesticides, and herbicides; agritourism activities; and the employment and use of labor.
- (e) “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 therefrom.

2023 Florida Building Code, Building, Eighth Edition

102.2 Building.

The provisions of the Florida Building Code shall apply to the construction, erection, alteration, modification, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every public and private building, structure or facility or floating residential structure, or any appurtenances connected or attached to such buildings, structures or facilities. Additions, alterations, repairs and changes of use or occupancy group in all buildings and structures shall comply with the provisions provided in the Florida Building Code, Existing Building. The following buildings, structures and facilities are exempt from the Florida Building Code as provided by law, and any further exemptions shall be as determined by the legislature and provided by law:

- (a) Building and structures specifically regulated and preempted by the federal government.
- (b) Railroads and ancillary facilities associated with the railroad.
- (c) Nonresidential farm buildings on farms.

Agricultural Exemption Application

Owner's Name: _____

Telephone Number: _____

Email Address: _____

Business Name: _____

Address of Farm: _____

Parcel ID#: _____ Flood Zone: _____

Product of Farm: _____ FEIN: _____

Type of Structure being built (description of work): _____

Use of Structure: _____

Check all that additionally apply: ☐ Electrical ☐ Mechanical ☐ Plumbing ☐ Gas

Disclosure Affidavit

I certify the information submitted above is for bona fide agricultural purposes; that the structure is a non-residential farm building/fence/sign and will not be used for any other purpose than farm use and is located on land that is an integral part of a farm operation that is classified as agricultural land under F.S. 193.461. I understand that any code provisions implementing local, state, or federal floodplain management regulations, zoning, and health department requirements may apply if applicable. The filing of this application does not constitute the filing of an application for septic tank or other services and does not constitute approval of the building or location by the Manatee County Health Department. All such approvals must be obtained independently of this application. I understand that should the recognition as a bona fide agricultural purpose cease, the structure will be deemed nonconforming and subject to the limitations of that classification. I understand that if the structure is used for any other purpose, i.e. dwelling, storage of personal goods, it would constitute a zoning and building violation. I assume full responsibility as the owner.

I hereby acknowledge that I have read and understand the above affidavit of this _____ day of _____, 20____.

Owner(s) Signature: _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____ 20____, by _____, who is personally known to me () or has provided the following identification _____.
Expiration Date: _____ and who did () / did not () take an oath.

Notary Public Signature _____ Notary Public Stamp Here 