



**Division of Local
Government Services**

Agricultural Buildings

Special activities & state laws

A Division of the New York Department of State

March 18, 2015

Special events & activities

- Agri-tourism
- Agri-tainment
 - Corn Mazes
 - Hay rides
 - Fall festivals
 - Petting zoos
 - Fiber tours



Special events & activities

- Newer trends
 - Catering
 - Farm to table
 - Charity events
 - Weddings



NYS Historic Barn Tax Credit

- Barns built or in agricultural service before 1936
- Income-producing
- Rehab can't alter historic appearance
- Not for former barns converted to residences



Article 18: NYS Executive Law

- Executive Law authorizes NYS Uniform Fire Prevention & Building Code (AKA: Uniform Code)
 - Establishes the code
 - Provides for its administration & enforcement
 - Directs Code Council to promulgate & maintain the code.

Uniform Code consists of:

- Residential Code of New York State (RCNYS)
- Building Code of New York State (BCNYS)
- Plumbing Code of New York State (PCNYS)
- Mechanical Code of New York State (MCNYS)
- Fuel Gas Code of New York State (FGNYS)
- Fire Code of New York State (FCNYS)
- Property Maintenance Code of New York State (PMCNYS)

Exemptions

- Uniform Code
 - NYS Building Code
 - NYS Fire Code
- Energy Conservation Construction Code
 - AKA: Energy Code

Exemption: Building Code §101.2, Scope

New York State Building Code is not applicable to:

“...Agricultural buildings used solely in the raising, growing or storage of agricultural products by a farmer engaged in a farming operation.”

NYS Building Code, Chapter 2: Agricultural Building defined as:

A structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products, excluding any structure designed, constructed or used, in whole or in part, for human habitation, as a place of employment where agricultural products are processed, treated or packaged, or as a place used by the public.

Article 18: Executive Law §381(1)(g)

- Exemption from periodic fire safety & property maintenance inspections
 - Nothing in the rules shall require or be construed to require regular, periodic inspections of... (B) agricultural buildings used directly and solely for agricultural purposes, provided, however that this shall not be a limitation on inspections conducted at the invitation of the owner or where conditions on the premises threaten or present a hazard to public health, safety, or welfare.

NYS Education Law

- Architecture Seal or Signature required
 - Article 147, §7307.5
 - *"This article shall not apply to: 1. Farm buildings, including barns, sheds, poultry houses and other buildings used directly and solely for agricultural purposes; ..."*

NYS Education Law

- Engineering Seal or Signature required
 - Article 145, §7209.7 (b).
 - *Nothing in this article shall be construed to apply: to ... nor to farm buildings, including barns, sheds, poultry houses and other buildings used directly and solely for agricultural purposes;...*

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