

## FARM BUILDINGS - CODE EXEMPTIONS

### INTRODUCTION

Agricultural buildings are typically exempt from comply with State Building Codes due to the historical inception of the codes and the progression of the codes. There is no standard to hold contractors or owners to follow with regard to wind and snow loads. This has created a significant problem when trying to identify what would be a minimum standard to design, construct, or evaluate an agricultural (farm) building.

This document summaries the code wording that exempts farm building from having to comply with buildings codes. Each state has slightly different wording, but the end result is the same:

### *Farm Buildings are Exempt from the Building Code*

#### MINNESOTA BUILDING CODE

Reference: <https://www.revisor.mn.gov/rules/1300.0030/>

The purpose of the Minnesota Building Code is spelled out in Minnesota Rules 1300.0030, subpart 1, which states

“the purpose of this code is to establish minimum requirements to safeguard the public health, safety, and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to firefighters and emergency responders during emergency operations.”

While the building code applies statewide, in subpart 2A, the rules also state in subpart 2A the building code does not apply to agricultural buildings.

“The State Building Code does not apply to agricultural buildings except with respect to state inspections required or rulemaking authorized by Minnesota Statutes, sections  
103F.141 (flood plain use),  
326B.36, and (electrical inspection)  
326B.121, sub 1, par (c), clause (2) (skylights)”

#### WISCONSIN BUILDING CODE

Reference: [https://docs.legis.wisconsin.gov/code/admin\\_code](https://docs.legis.wisconsin.gov/code/admin_code)

The purpose of the Wisconsin Building Code is spelled out in Wisconsin Rules 361.01 which states:

“the purpose of chs. SPS 361 to 366 is to protect the health, safety, and welfare of the public and employees by establishing minimum standards for the design, construction, maintenance, and inspection of public buildings, including multifamily dwellings and places of employment.”

While the building code applies statewide, the rules also state the building code does not apply to “Buildings and structures that are on a farm premises and used exclusively for farming purposes.” SPS 361.02 (3)(e).

#### IOWA BUILDING CODE

Reference: <https://dps.iowa.gov/divisions/state-fire-marshal/building-code/>

Iowa has similar wording for the exemption of agricultural buildings:

335.2 Farms exempt.

Except to the extent required to implement section 335.27, no ordinance adopted under this chapter applies to land, farm houses, farm barns, farm outbuildings or other buildings or structures which are primarily adapted, by reason of nature and area, for use for agricultural purposes, while so used

Reference: <https://www.legis.iowa.gov/law/iowaCode>

#### NORTH DAKOTA BUILDING CODE

Reference: <https://www.communityservices.nd.gov/buildingcode/>

North Dakota has the similar wording for the exemption of agricultural buildings:

54-21.3-04 Exemptions.

3. Any building used for agricultural purposes, unless a place of human habitation or for use by the public, is exempt from this chapter.

#### SOUTH DAKOTA BUILDING CODE

Reference: [https://sdlegislature.gov/Statutes/Codified\\_Laws/](https://sdlegislature.gov/Statutes/Codified_Laws/)

South Dakota has similar wording for the exemption of agricultural buildings.

“The provisions of this section do not apply to new construction for any one or two family dwelling, mobile or manufactured home, townhouse, or farmstead and any accessory structure or building thereto. For purposes of this section the term, farmstead, means a farm or ranch, including any structure or building located on the land.”

(Reference: Chapter 11-10-6)