



Agricultural Buildings

Minnesota Statute 326b.103

The purpose of this handout is to help determine if a proposed building would be considered agricultural, and therefore exempt from requiring a building permit. If the structure is exempt from a building permit, a zoning agricultural land use permit may still be required. Your local municipality administration can tell you what ordinances or rules apply to agricultural buildings.

Although most of the MN State **Building Code** (MSBC) does not apply to agricultural buildings, the **Electrical, Plumbing and Fire Code** provisions of the MSBC *do* apply, except that *the plumbing code does not apply to non-public buildings with private water and sewer.*

Before construction can begin on an agricultural building, it must comply with all the following as defined in Section 273.13 subdivision 23. The building must be:

1. Constructed on agricultural zoned land as determined by the governing authority.
2. Designed, constructed, and used to house farm implements, livestock, or agricultural products.
3. Used by the owner, lessee, and sub-lessee of the building and members of their families, their employees, and persons engaged in the pickup or delivery of agricultural products.

Livestock – means cattle, sheep, swine, horses intended for slaughter, mules, farmed Cervidae, and Ratitae, llamas, buffalo, and goats.

Agricultural Land – means contiguous acreage of ten or more acres with all acres adjoined, not separated, owned by the same person, and used during the preceding year for agricultural purposes, or an intensive livestock or poultry confinement operation. Land used only for pasturing or grazing does not qualify under this clause.

Agricultural Products – means the production for sale of the following:

1. Livestock, dairy animals, dairy products, poultry and poultry products, fur-bearing animals, horticultural and nursery stock, fruit of all kinds, vegetables, forage, grains, bees, and apiary products by the owner;
2. Fish bred for sale and consumption if the fish breeding occurs zoned for agricultural use;
3. The commercial boarding of horses, which may include related horse training and riding instruction, if the boarding is done on property that is also used for raising pasture to graze horses or raising or cultivating other agricultural products;

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4. Property which is owned and operated by nonprofit organizations used for equestrian activities, excluding racing;
5. Game birds and waterfowl bred and raised on a licensed game farm, provided that the annual licensing report to the Department of Natural Resources, indicates that at least 500 birds were raised or used for breeding stock on the property during the preceding year and that the owner provides a copy of the owner's most recent IRS schedule F; or for use on a licensed shooting preserve.
6. Insects, primarily bred to be used as food for animals;
7. Trees, grown for sale as a crop, including short rotation woody crops, and not sold for timber, lumber, wood, or wood products; and
8. Maple syrup taken from trees grown by a person licensed by the Minnesota Department of Agriculture under chapter 28A as a food processor.

This handout is a summary of requirements and is not intended to include all information for every project. For additional information on agricultural buildings and farming, please review the Minnesota Department of Labor & Industry (DLI) **Agricultural and Farming Guide** on their website at: <https://www.revenue.state.mn.us/guide/agricultural-and-farming-industry-guide>

For site plan questions, and other helpful handouts to view or download and print, go to: rumrivercc.com/informational-forms

For permit or general questions, call the RRC office at 763-331-7722, from 8:00 AM to 4:30 PM Monday through Friday.

