

## **Definition for Agricultural Structure/Building Exemption Jersey County, Illinois**

The Jersey County Code of Ordinances, which include the International Building Codes, adopted by the Jersey County Board require building permits, fees, minimum design standards with specifications and occupancy permits for all structures and buildings to be constructed in the unincorporated areas of Jersey County except as exempted.

The Illinois Compiled Statutes (ILCS) Chapter 55 Section 5/5 – 12001 state that agricultural structures/buildings shall be exempt from building code regulations requiring fees for building permits, and occupancy permits with the following exceptions:

- That all agricultural structures and buildings shall adhere to floodplain regulations and set-back requirements from public/private roads.
- The application of building permits are still required for all agricultural structures.

### 1. Agriculture defined: ILCS 5/5 – 12001.

Agriculture purposes include the growing of farm crops, truck garden crops, animal and poultry husbandry, apiculture, aquaculture, dairying, floriculture, horticulture, nurseries, tree farms, sod farms, pasturage, viticulture and wholesale greenhouses when such agricultural purposes constitute the principal activity on the land as well as the growing, developing, processing, conditioning or selling hybrid seed corn, seed beans, seed oats or other farm seeds. Counties may establish a minimum lot size for residences on land used for agricultural purposes.

### 2. Agriculture building defined:

A structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.

### 3. Farm dwelling defined:

A single-family residence and occupied by a farmer, who is actively engaged in agriculture. A dwelling should be considered a farm dwelling only if it is located on the land or contiguous with the land on which the owner/occupant is **solely** engaged in agricultural operation and if the dwelling is accessory and incidental to that agriculture use. Only one single-family dwelling is exempt from permit fees.

### 4. Farmer defined:

An individual actively engaged in farming and is his sole income.