



**City of Twin Falls  
Building Department**

203 Main Avenue East  
P.O. Box 1907  
Twin Falls, ID 83303-1907  
Submit Application to: [bsdpermits@tffd.org](mailto:bsdpermits@tffd.org)

Phone: 208-735-7238  
Fax: 208-736-2256  
[bsdpermits@tffd.org](mailto:bsdpermits@tffd.org)

# Agricultural Exempt Site Placement Permit Application

*Per Idaho Code 39-4116(5), agricultural buildings are exempt from building code*

*\*\*\*All information to be filled out in its entirety or application will not be taken in\*\*\**

**AGRICULTURAL BUILDING:** Please see attached Idaho Code 39-4116 for additional information on Agricultural Buildings

Tents used for agricultural purposes are regulated by the City of Twin Falls Fire Department under the International Fire Code. Please contact the Fire Marshall at 208-735-7232 for regulations.

<b>PROJECT INFORMATION</b>	
Project Address: _____	
Subdivision or Parcel Number _____ Lot: _____ Block: _____	
<b>PROPERTY OWNER INFORMATION</b>	<b>CONTRACTOR INFORMATION</b>
Name: _____	Business Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Phone: _____	Phone: _____
Email: _____	Email: _____
	State Registration # & Expiration Date: _____
<b>PLAN DESIGNER</b>	<b>ADDITIONAL CONTACTS: Project Manager, etc.</b>
Business Name: _____	Business Name: _____
Contact Name: _____	Contact Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Phone: _____	Phone: _____
Email: _____	Email: _____

**Fire & Planning and Zoning Information:** All elements below are required for all AG Exempt Applications

1. Declaration Letter stating the proposed structure meets the definition above for an Agricultural Building.
2. Description of Structure: \_\_\_\_\_
3. Zoning District: \_\_\_\_\_
4. Is the property in the area of impact?  No  Yes (If Yes and this a new construction or an addition, plans must be approved and stamped by South Central Health District and must have a Twin Falls Highway District Approach Permit.)
5. **Site Plan:** Size of the structure: Length: \_\_\_\_\_ Width: \_\_\_\_\_ Height: \_\_\_\_\_  
Setbacks: Distance of proposed structure away from property lines, roads, easements, and any other structure(s).  
Fire Access: Show Fire Access meeting or exceeding the currently adopted codes.
6. Provide proof of ownership or written agreement from property owner for use of the property.

**I certify that the information provided above is the most accurate available at this time:**

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



# Idaho Statutes

Idaho Statutes are updated to the website July 1 following the legislative session.

TITLE 39  
HEALTH AND SAFETY  
CHAPTER 41

IDAHO BUILDING CODE ACT

39-4116. LOCAL GOVERNMENT ADOPTION AND ENFORCEMENT OF BUILDING CODES. (1) Local governments enforcing building codes shall do so only in compliance with the provisions of this section. Local governments that have not previously instituted and implemented a code enforcement program prior to the effective date of this act may elect to implement a building code enforcement program by passing an ordinance evidencing the intent to do so. Local governments may contract with a public or private entity to administer their building code enforcement program.

(2) Local governments that issue building permits and perform building code enforcement activities shall, by ordinance effective January 1 of the year following the adoption by the Idaho building code board, adopt the following codes as published by the International Code Council together with any amendments or revisions set forth in section 39-4109, Idaho Code, including subsequent versions of the International Building Code as adopted and amended by the Idaho building code board through the negotiated rulemaking process provided in this chapter:

(a) International Building Code, including all rules promulgated by the board to provide equivalency with the provisions of the Americans with disabilities act accessibility guidelines and the federal fair housing act accessibility guidelines;

(b) Idaho residential code, parts I-III and IX; and

(c) 2018 Idaho energy conservation code, pursuant to chapter 97, title 39, Idaho Code.

Local governments are not required by this chapter to adopt the other referenced codes in the International Building Code. Local jurisdictions shall not adopt provisions, chapters, sections or parts of subsequent versions of the International Residential Code or residential provisions of the International Energy Conservation Code, or subsequent versions in their entirety, that have not been adopted by the Idaho building code board except as provided in subsection (4) of this section.

(3) All single family homes and multiple family dwellings up to two (2) units are hereby exempted from the provisions of the International Fire Code, the International Building Code and the Idaho residential code that require such dwellings to have automatic fire sprinkler systems installed. Nothing in this section shall prevent any person from voluntarily installing an automatic fire sprinkler system in any residential dwelling.

(4) Except as provided in this subsection, local governments may amend by ordinance the adopted codes or provisions of referenced codes to reflect local concerns, provided such amendments establish at least an equivalent level of protection to that of the adopted building code. A local jurisdiction shall not have the authority to amend any accessibility

provision pursuant to section 39-4109, Idaho Code, except as provided in this subsection.

(a) A local jurisdiction shall not have the authority to amend any accessibility provision pursuant to section 39-4109, Idaho Code.

(b) A local jurisdiction shall not adopt any provision, chapter, section or part of the International Residential Code or residential provisions of the International Energy Conservation Code, or subsequent versions in their entirety, that have not been adopted or that have been expressly rejected or exempted from the adopted version of those codes by the Idaho building code board through the negotiated rulemaking process as provided in section 39-4109, Idaho Code.

(c) Local jurisdictions may amend by ordinance the following provisions of the Idaho residential code to reflect local concerns:

- (i) Part I, Administrative;
- (ii) Part II, Definitions;
- (iii) Part III, Building Planning and Construction, Section R 301, Design Criteria; and
- (iv) Part IX, Appendices.

(d) Local jurisdictions may amend the remainder of Part III of the Idaho residential code if they find that good cause for building or life safety exists for such an amendment to such codes and that such amendment is reasonably necessary. Amendments shall be adopted by ordinance in accordance with the provisions of chapter 9, title 50, Idaho Code, or chapter 7, title 31, Idaho Code, and provided further that such local jurisdiction shall conduct a public hearing and, provided further, that notice of the time and place of the public hearing shall be published in the official newspaper or paper of general circulation within the jurisdiction and written notice of each of such public hearing and the proposed language shall be given by the local jurisdiction to the local chapters of the entities identified in section 39-4109(5), Idaho Code, not less than thirty (30) days prior to such hearing. In the event that there are no local chapters of such entities identified in section 39-4109(5), Idaho Code, within the local jurisdiction holding the hearings, the notice shall be provided to the state associations of the respective entities.

(5) Local governments shall exempt agricultural buildings from the requirements of the codes enumerated in this chapter and the rules promulgated by the board. A county may issue permits for agricultural buildings to assure compliance with road setbacks and utility easements, provided that the cost for such permits shall not exceed the actual cost to the county of issuing the permits.

(a) For the purposes of this subsection, "agricultural buildings" means:

- (i) Livestock shelters or buildings, including shade structures and milking barns;
- (ii) Poultry buildings or shelters;
- (iii) Barns;
- (iv) Storage and maintenance structures for equipment and machinery used exclusively in agricultural operations;
- (v) Horticultural structures, including detached production greenhouses and crop protection shelters;
- (vi) Sheds used as part of an agricultural operation;
- (vii) Grain silos;

(viii) Stables; and

(ix) Any other structure designed, constructed, and intended to house, accommodate, or store farm implements, hay, grain, poultry, livestock, or other horticultural products.

(b) For the purposes of this subsection, "agricultural buildings" does not include:

(i) A place of human habitation, which means a space in a building for living, sleeping, or cooking. Structures with bathrooms, shower rooms, break rooms, locker rooms, storage or utility space, or other similar areas are not considered places of human habitation;

(ii) A place of employment where agricultural products are processed, treated, or packaged; or

(iii) A place used by the public.

(c) Counties shall not alter, amend, deny, limit, or narrow the exemption provided pursuant to this subsection by, including but not limited to, requiring size limitations of agricultural buildings, requiring maximum travel distances to exits within agricultural buildings, or requiring installation of automatic sprinkler systems in agricultural buildings.

(6) Permits shall be governed by the laws in effect at the time the permit application is received.

(7) The division shall retain jurisdiction for in-plant inspections and installation standards for manufactured or mobile homes and for in-plant inspections and enforcement of construction standards for modular buildings and commercial coaches.

History:

[39-4116, added 2002, ch. 345, sec. 21, p. 973; am. 2004, ch. 272, sec. 4, p. 760; am. 2009, ch. 173, sec. 3, p. 553; am. 2009, ch. 219, sec. 2, p. 683; am. 2009, ch. 279, sec. 2, p. 841; am. 2010, ch. 79, sec. 15, p. 144; am. 2014, ch. 248, sec. 2, p. 625; am. 2018, ch. 338, sec. 2, p. 770; am. 2022, ch. 302, sec. 3, p. 958; am. 2025, ch. 40, sec. 1, p. 187.]

**How current is this law?**