



# Building Standards and Codes

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## TECHNICAL BULLETIN

**Code Effective Date:** October 31, 2017<sup>1</sup>

**Source Document:** 19 NYCRR Part 1219 – UNIFORM FIRE PREVENTION AND BUILDING CODE  
19 NYCRR Part 1221 – BUILDING CONSTRUCTION  
19 NYCRR Part 1225 – FIRE PREVENTION  
19 NYCRR Part 1227 – EXISTING BUILDINGS<sup>2</sup>

**Topic:** Periodic Inspection of Agricultural Buildings

This document provides guidance regarding periodic inspections of Agricultural Buildings.

Article 18 of the Executive Law, known as the New York State Uniform Fire Prevention and Building Code Act, which initially became effective January 1, 1984, is the enabling legislation for the Uniform Fire Prevention and Building Code (Uniform Code). Executive Law § 381(1) states in part:

*Nothing in the rules shall require or be construed to require regular, periodic inspections of (A) owner-occupied one and two-family dwellings, **or (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.*  
(Emphasis added).

There is no definition provided in Article 18 of Executive Law for an agricultural building other than a building being used directly and solely for agricultural purposes as noted above. As it relates to the Uniform Code, an “*Agricultural Building*” is defined in Sections 101.2.2, 101.2.6.1, and 101.2.8 of the 2017 Uniform Code Supplement 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, or a place of employment, where agricultural products are processed, treated or packaged, or as a place used by the public.* (Emphasis added).

Further, Sections 101.2.2 and 101.2.8 of the 2017 Uniform Code Supplement, exempt agricultural buildings from enforcement under the 2015 International Building Code and the 2015 International Existing Building Code, respectively. Section 101.2.6.1 of the same Supplement exempts *agricultural buildings* from the ‘*construction and design provisions*’ of the 2015 International Fire Code (2015 IFC), though not from the ‘*administrative, operation and maintenance provisions*’ of the 2015 IFC. The Supplement does not include a similar exception from the provisions of the 2015 International Property Maintenance Code.

Although regular, periodic inspections of *agricultural buildings* - used directly and solely for agricultural purposes - under

<sup>1</sup> The “Code Effective Date” for this Technical Bulletin is October 31, 2017, which is the effective date of the current version of the New York State Uniform Fire Prevention and Building Code (the Uniform Code).

<sup>2</sup> The 2015 International Building Code (2015 IBC) is a publication incorporated by reference in 19 NYCRR Part 1221, the 2015 International Fire Code (2015 IFC) is a publication incorporated by reference in 19 NYCRR Part 1225 and the 2015 International Existing Building Code (2015 IEBC) is a publication incorporated by reference in 19 NYCRR Part 1227. The 2017 Uniform Code Supplement is a publication incorporated by reference in 19 NYCRR Parts 1219 through 1228. The 2015 IBC, IFC, and IEBC, as amended by the 2017 Uniform Code Supplement are all part of the Uniform Code.

the 2015 IFC and/or the 2015 IPMC are not required by Article 18 of the Executive Law, a local government's code enforcement program could include such inspection requirements. Generally, inspections of *agricultural buildings* would only be triggered by either a change in use or occupancy (e.g. if an *agricultural building* once used solely to house poultry became a place used by the public), at the invitation of the owner, or by the presence of a hazardous condition as noted in the portion of the Executive Law quoted above.

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