



CITY OF SUFFOLK

441 MARKET STREET, P.O. BOX 1858, SUFFOLK,
VIRGINIA 23439-1858

PHONE: (757) 514-4150 FAX: (757) 514-4199

DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT

FARM CONSTRUCTION AFFIDAVIT

(Please submit a copy of your survey showing location of structure(s), Health Department Approval if subject property is on septic and a \$35.00 check made payable to Ronald H. Williams, Treasurer)

Applicant Name: _____

Mailing Address: _____

Email Address: _____ Phone Number: _____

TAKE NOTICE THAT FALSE OR MISLEADING INFORMATION VOIDS THIS AFFIDAVIT.

PURPOSE: This document will regulate the permit process to erect, repair or improve a structure utilized for the purpose of farm activities on land zoned and used for agricultural purposes.

1. I, _____, of (address) _____, affirm that I am the owner of a certain tract or parcel of land located at: _____.
2. I am applying for a building permit to erect, repair or improve a structure on a parcel zoned _____, for the purpose of farm activities which include: _____.
3. There are currently no outstanding building code, zoning or property maintenance violations that exist on the property.
4. All work will be done on the above parcel, which consists of farm buildings or farm structures as defined in Virginia Uniform Statewide Building Code/Virginia Construction Code (VAUSBC/VCC), Chapter 2 Definitions, (attached) and the Unified Development Ordinance, Appendix A (attached).
5. I understand that Title 54, Code of Virginia (attached) requires a contractor to be properly licensed before he may bid or undertake a job of \$1,000.00 or more. I further certify that I am familiar with the responsibilities of awarding contracts to any contractor not properly licensed under the provisions of the Code and that to do so would constitute the commission of a misdemeanor. I affirm that I understand that a contractor must be licensed Class C for any job of \$1,000.00 but less than \$7,500.00; Class B contractor for any job of \$7,500.00 but less than \$70,000.00; and a Class A contractor for any job of \$70,000.00 or more.
6. I fully understand that if I obtain this farm affidavit under false pretenses or misrepresent information contained in this document, that the farm affidavit is declared null and void. Further, I realize that the City of Suffolk may, as a result of the applicant obtaining the farm affidavit under false pretenses or misrepresenting information, make take appropriate legal action to remove the structure(s) that was erected or repaired pertaining to the subject farm affidavit and the expense of the removal will be borne by the property owner and will result in a lien on the subject property.
7. Pursuant to the VAUSBC/VCC Section 119.5 – The owner of a building or structure, the owner's agent of any other person involved in the design or construction of a building or structure may appeal a decision of

the building official concerning the application of the VAUSBC/VCC to such building or structure and may also appeal a refusal by the building official to grant a modification to the provisions of the VAUSBC/VCC pertaining to such building or structure. The applicant shall submit a written request for appeal to the Local Board of Building Code Appeals (LBBCA) within 90 calendar days of the receipt of the decision being appealed.

By my signature, I hereby certify that I have read, understand and comply with all applicable regulations.

Date

Property Owner

Commonwealth of Virginia

City/County of _____

Sworn and subscribed to me by _____ this

_____ day of _____, 20 _____.

Notary Public

My Commission expires: _____

Office Use Only:

Project Number: _____ Account Number: _____

Tax Map: _____ Borough: _____ Zoning District: _____

Administrative Approval _____

Date: _____ Notes: _____

CHAPTER 2 DEFINITIONS

Add the following definitions to Section 202 of the IBC to read:

ABOVEGROUND LIQUID FERTILIZER STORAGE TANK (ALFST). A device that contains an accumulation of liquid fertilizer (i) constructed of nonearthen materials, such as concrete, steel or plastic, that provide structural support, (ii) having a capacity of 100,000 gallons (378 500 L) or greater, and (iii) the volume of which is more than 90 percent above the surface of the ground. The term does not include any wastewater treatment or wastewater storage tank, utility or industry pollution control equipment.

BUILDING REGULATIONS. Any law, rule, resolution, regulation, ordinance or code, general or special, or compilation thereof, heretofore or hereafter enacted or adopted by the Commonwealth or any county or municipality, including departments, boards, bureaus, commissions, or other agencies thereof, relating to construction, reconstruction, alteration, conversion, repair, maintenance, or use of structures and buildings and installation of equipment therein. The term does not include zoning ordinances or other land use controls that do not affect the manner of construction or materials to be used in the erection, alteration or repair of a building or structure.

CHANGE OF OCCUPANCY. A change in the use or occupancy of any building or structure which would place the building or structure in a different division of the same group of occupancies or in a different group of occupancies; or a change in the purpose or level of activity within a building or structure that involves a change in application of the requirements of this code.

CONSTRUCTION. The construction, reconstruction, alteration, repair, or conversion of buildings and structures.

DAY-NIGHT AVERAGE SOUND LEVEL (LDN). See Section 1202.1.

DHCD. The Virginia Department of Housing and Community Development.

EMERGENCY COMMUNICATION EQUIPMENT. See Section 902.1.

EMERGENCY PUBLIC SAFETY PERSONNEL. See Section 902.1.

EQUIPMENT. Plumbing, heating, electrical, ventilating, air-conditioning and refrigeration equipment, elevators, dumbwaiters, escalators, and other mechanical additions or installations.

FARM BUILDING OR STRUCTURE. A building or structure not used for residential purposes, located on property where farming operations take place, and used primarily for any of the following uses or combination thereof:

1. Storage, handling, production, display, sampling or sale of agricultural, horticultural, floricultural or silvicultural products produced in the farm.
2. Sheltering, raising, handling, processing or sale of agricultural animals or agricultural animal products.
3. Business or office uses relating to the farm operations.
4. Use of farm machinery or equipment or maintenance or storage of vehicles, machinery or equipment on the farm.
5. Storage or use of supplies and materials used on the farm.
6. Implementation of best management practices associated with farm operations.

INDUSTRIALIZED BUILDING. A combination of one or more sections or modules, subject to state regulations and including the necessary electrical, plumbing, heating, ventilating and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, to comprise a finished building. Manufactured homes shall not be considered industrialized buildings for the purpose of this code.

EXCAVATION: The removal of soil, rock or other matter from a land area.

EXISTING CAPACITY: The capacity of the existing built and operational public facilities, as determined by the service provider.

EXISTING DEMAND: The demand for public facilities from existing (built) development.

EXISTING DWELLING: For purposes of [Section 31-702\(f\)](#), (agricultural production facilities), an "existing dwelling" means:

- (1) A structure, designated for residential use, which is legally occupied on the date a completed application for a livestock, dairy or poultry facility permit is received by the Administrator; or
- (2) A structure, designed for residential use, which is not occupied on the date a completed application is received, but has been issued a valid building permit prior to the application for the facility; or
- (3) A structure, designed for residential use, which has been legally occupied for a cumulative period of at least thirty-six (36) months within the 60-month period of time prior to the date on which a completed application for a livestock, dairy, or poultry facility is received. The Administrator may request additional documentation from the applicant or other regulated party to determine if the structure qualifies as an "existing dwelling" as defined.

EXOTIC ANIMALS: Those animals not defined as household pets or agricultural animals.

EXPLORATORY WELL: Any well drilled (i) to find and produce gas or oil in an unproven area, (ii) to find a new reservoir in a field previously found to be productive of gas or oil in another reservoir, or (iii) to extend the limits of a known gas or oil reservoir. (Source: Virginia Administrative Code)

EXTERNAL BUFFER: A vegetated area along the exterior boundaries of a development which is maintained as open space in order to eliminate or minimize conflicts between such development and adjacent land uses.

EXTRACTIVE USES: Surface and/or subsurface natural resources which may be extracted from the land. This includes exploratory drilling or mining but excludes individual water well drilling.

FACADE: The exterior walls of a building exposed to public view or that wall viewed by persons not within the building.

FACADE, FRONT: A facade which faces, or is perpendicular to and visible from, the public right-of-way or any private street.

FACILITY: All or any portion of a building, structure or area, including the site on which building, structure or area is located, wherein specific services are provided or activities are performed. (Source: Uniform Statewide Building Code)

FAMILY: An individual, or two (2) or more persons related by blood, marriage or adoption, or a group of not more than four (4) unrelated persons, occupying a single dwelling unit. For purposes of single-family residential occupancy, this term shall be deemed to encompass the residents of group homes or other residential facilities licensed by the Department of Mental Health, Intellectual Disability, and Substance Abuse Services or the Department of Social Services occupied by not more than eight (8) persons with, mental illness, intellectual disability, developmental disabilities, or elderly or handicapped persons together with one or more resident counselors. Mental illness and developmental disability does not include current illegal use of or addition to a controlled substance as defined in Section 54.1-3401, Code of Virginia or its successor regulations.

FAMILY DAY HOME: A child day program offered in the residence of the provider or the home of any of the children in care for one through 12 children under the age of thirteen, exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation. The provider of a licensed or registered family day home shall disclose to the parents or guardians of children in their care the percentage of time per week that persons other than the provider will care for the children. Family day homes serving six through twelve children, exclusive of the provider's own children and any children who reside in the home, shall be licensed. However, no family day home shall care for more than four children under the age of two, including the provider's own children and any children who reside in the home, unless the family day home is licensed or voluntarily registered. However, a family day home where the children in care are all grandchildren of the provider shall not be required to be licensed. (Source: Code of Virginia)

FAMILY SUBDIVISION: The division of a lot or parcel into two (2) or more lots or parcels for the purpose of sale or gift to the spouse or a natural or legally defined offspring, spouse, sibling, grandchild, grandparent, or parent ("immediate family member") of any fee simple owner of the original lot or parcel. For purposes of the Ordinance, conveyance of a trust or life estate established for an immediate family as defined above shall be considered a sale or gift to an immediate family member. Such a division shall be referred to as a "family subdivision."

FARM: Land principally devoted to the bona fide production for sale, or conservation, of agricultural products including crops, livestock and livestock products, including but not limited to: field crops, fruits, vegetables, horticultural specialties, cattle, sheep, hogs, goats, horses, poultry, furbearing animals, milk, eggs and furs. (Sources: Code of Virginia, §§ 15.2-4302, 15.2-4402 or its successor regulations).

FARM STRUCTURE: A structure located on a farm utilized for the storage, handling or production of agricultural, horticultural or floricultural products or the sheltering, raising or processing of farm animals or farm animal products, which products or animals are normally intended for sale to domestic or foreign markets. The term shall include structures used for the maintenance, storage or use of farm equipment. (Source: Uniform Statewide Building Code)

FARMERS MARKET: A year-round or seasonal open air or permanent facility, specifically marketed as a "farmers market," where multiple farmers come to sell their products to the consumer (Source: Virginia Administrative Code)

FARMLAND, IMPORTANT: Land that has historically produced or is producing agricultural or forestal products and is soil classified as class 1, 2, 3 or 4; or shall consist of:

- (1) Prime farmland, which are lands that have the best combination of physical characteristics for the production of