

# Building & Codes Department

# Memo

Date: 11/15/2007  
To: All Interested Parties  
From: Steve Mills, Director  
RE: Policy Regarding Pole-Barns

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There continues to be a certain amount of confusion regarding the construction of structures such as barns, pole-barns, and other agricultural use buildings. The primary topics of discussion appear to center around the requirement for permitting and whether code compliance is required. It appears much of this discussion stems from a specific provision contained in the Tennessee Code Annotated that addresses these structures. Hopefully this memo will clarify the City of Hendersonville's position regarding the provisions of this State Law.

Effective immediately permits are not required for the construction of any structure which is truly intended to be used for agricultural purposes (i.e. barns, pole barns and etc.) located on property devoted to *"...agricultural uses or which may hereafter be used for agricultural purposes, except on agricultural lands adjacent or in proximity to state federal-aid highways, public airports or public parks; provided, that such building or structure is incidental to the agricultural enterprise."* Such structures also are not required to comply with locally adopted building codes and therefore no building code inspections will be provided. Minimum compliance with all applicable zoning setbacks is still required. The only exception from permitting and code compliance will be lots within established subdivisions or other properties located in zoning districts where agricultural uses are not already permitted.

Any property owner and/or contactor may request in writing that a building permit be issued and then will be entitled to normal inspection services. The Director of Building & Codes will be the final determination as to whether such a request will be approved or not.

All barns, pole-barns and other similar agricultural use structures that are not determined to be exempted by this TCA provision will otherwise be required to obtain all necessary permits and fully comply with all locally adopted codes and policies.