



To: Municipal Officials, Interested Parties
RE: Building Permit Fees and Agricultural Buildings

It has come to the attention of the Massachusetts Farm Bureau Federation that some municipalities have implemented relatively high fees for building permits. In some cases, these fees have been a significant hindrance to the growth and stability of small agricultural businesses. In some cases, steep permit fees have even prevented projects from moving forward which would have made individual farms more commercially viable.

Agriculture provides numerous benefits to municipalities by preserving open space, maintaining the aesthetic quality of the landscape, providing fresh and local food, and offering recreational opportunities for residents (horseback riding, apple picking, etc). Further, the ratio of municipal tax dollars taken in to those expended on agricultural properties is much more favorable for municipalities than for residential properties. For many reasons, it is in the municipality's best interest to have policies which support agriculture within the community.

Below are some considerations in determining fees for building permits relative to agricultural buildings:

- There is legal precedent that fees should be commensurate with the activities of the issuing authority. Building permit fees are intended to cover costs such as plan review, electrical inspection, plumbing inspection, etc. Agricultural buildings typically do not require the same degree of review and inspection as residential or commercial retail space. There is typically less plumbing, heating, insulation, etc. associated with agricultural building such as barns and riding arenas. Less work is therefore required on the part of the building department. As such, fees associated with most agricultural buildings such as barns, riding arenas, etc. should be less than residential and commercial retail properties.
- Some municipalities base their building permit fees on the square footage of the proposed building. Many charge a lower rate for garages and other relatively unfinished space. In most cases, agricultural buildings will be comparable to garage space rather than finished space.
- The State Building Code designates most agricultural buildings as Group U (utility) buildings rather than Group A (assembly). This would provide a simple means by which to identify agricultural buildings subject to a lower rate.

The Massachusetts Farm Bureau Federation strongly suggests that municipalities consider the impact of building permit fees on agricultural operations, and to put in place a fee structure that allows farms to grow and prosper. This is in the best interest of not only the farm, but of all the residents of the town.

Farm Bureau is happy to consult with municipal officials on considerations for building permit fees for agricultural buildings. Where municipalities have an established Agricultural Commission, this is also an excellent resource

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