



AGRITOURISM



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2023 FLORIDA STATUTES, TITLE XXXV, , CHAPTER 570, AGRICULTURE, HORTICULTURE & ANIMAL INDUSTRY

570.86 Definitions

“Agritourism activity” means any agricultural related activity consistent with a bona fide farm, livestock operation, or ranch or in a working forest which allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy activities, including farming, ranching, historical, cultural, civic, ceremonial, training and exhibition, or harvest-your-own activities and attractions. An agritourism activity does not include the construction of new or additional structures or facilities intended primarily to house, shelter, transport, or otherwise accommodate members of the general public. An activity is an agritourism activity regardless of whether the participant paid to participate in the activity.





2023 FLORIDA STATUTES, TITLE XXXVII, CHAPTER 633 FIRE PREVENTION AND CONTROL

633.202 Florida Fire Prevention Code.—

(16) (a) As used in this subsection, the term “Agricultural pole barn” means a nonresidential farm building in which 70 percent or more of the perimeter walls are permanently open and allow free ingress and egress.

(b) An agricultural pole barn is exempt from the Florida Fire Prevention Code, including the national codes and the Life Safety Code incorporated by reference.



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2023 FLORIDA STATUTES, TITLE XXXVII, CHAPTER 633 FIRE PREVENTION AND CONTROL

633.202 Florida Fire Prevention Code.—

(16) (a) As used in this subsection, the term “Nonresidential farm building” has the same meaning as provided in s. 604.50.

“Nonresidential farm building” means any temporary or permanent building or support structure that is classified as a nonresidential farm building on a farm or that is used primarily for agricultural purposes, is located on land that is an integral part of a farm operation or is classified as agricultural land and is not intended to be used as a residential dwelling. The term may include, but is not limited to, a barn, greenhouse, shade house, farm office, storage building, or poultry house.

A nonresidential farm building in which the occupancy is limited by the property owner to **no more than 35 persons** is exempt from the Florida Fire Prevention Code, including the national codes and Life Safety Code incorporated by reference.



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2023 FLORIDA STATUTES, TITLE XXXVII, CHAPTER 633 FIRE PREVENTION AND CONTROL

Notwithstanding any other provision of law:

Except for an agricultural pole barn, a structure on a farm, as defined in s. 823.14(3)(c), which is used by an owner for agritourism activity, as defined in s. 570.86, for which the owner receives consideration must be classified in one of the following classes:

Class 1: A nonresidential farm building that is used by the owner 12 or fewer times per year for agritourism activity with up to 100 persons occupying the structure at one time. A structure in this class is subject to annual inspection for classification by the local authority having jurisdiction. This class is not subject to the Florida Fire Prevention Code but is subject to rules adopted by the State Fire Marshal pursuant to this section.

Class 2: A nonresidential farm building that is used by the owner for agritourism activity with up to 300 persons occupying the structure at one time. A structure in this class is subject to annual inspection for classification by the local authority having jurisdiction. This class is not subject to the Florida Fire Prevention Code but is subject to rules adopted by the State Fire Marshal pursuant to this section.

Class 3: A structure or facility that is used primarily for housing, sheltering, or otherwise accommodating members of the general public. A structure or facility in this class is subject to annual inspection for classification by the local authority having jurisdiction. ***This class is subject to the Florida Fire Prevention Code.***

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CHAPTER 69A-67, FIRESAFETY STANDARDS FOR NONRESIDENTIAL FARM BUILDINGS

69A-67.005 Requirements for Class 1 Nonresidential Farm Buildings.

The following is a partial list of the requirements that apply to a nonresidential farm buildings that are classified by the AHJ as a Class 1 nonresidential farm building:

- 1) Occupant load (36-100).
- 2) Used 12 times per year or less for Agritourism
- 3) Two Unobstructed Means of Egress
- 4) Large Barn style doors may be used as an Exit if left open during the Agritourism activity
- 5) Must meet the Net Square Footage of floor space per person based on use
- 6) No Interior Storage of Combustible Liquids/Gases, Explosives/Blasting Agents, Flammable Liquids/Gases, or Hazardous Materials
- 7) NO interior use of Pyrotechnics.
- 8) The use of open flames must be in compliance with the FFPC.
- 9) Interior Finish shall meet the requirements of 69A-67
- 10) Only Portable Cooking Equipment for Warming.
- 11) The Use of the Building for Lodging Purposes is NOT Permitted.





CHAPTER 69A-67, FIRESAFETY STANDARDS FOR NONRESIDENTIAL FARM BUILDINGS

69A-67.006 Requirements for Class 2 Nonresidential Farm Buildings.

The following is a partial list of the requirements that apply to a nonresidential farm building classified by the AHJ as a Class 2 nonresidential farm building:

- 1) Occupant load (101-300)
- 2) Egress (18 Requirements)
- 3) Storage (4 Requirements)
- 4) Open Flame Devices and Pyrotechnics (3 Requirements)
- 5) Interior Finish, Contents, and Furnishings (7 Requirements)
- 6) Special Provisions for Food Service Operations (4 Requirements)
- 7) The Use of the Building for Lodging Purposes is NOT Permitted.





CHAPTER 69A-67, FIRESAFETY STANDARDS FOR NONRESIDENTIAL FARM BUILDINGS

69A-67.007 Requirements for *Class 3 Farm Buildings*.

A structure that is classified by the AHJ as a Class 3 structure shall meet all the applicable requirements of the current edition of the Florida Fire Prevention Code

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CHAPTER 69A-67, FIRESAFETY STANDARDS FOR NONRESIDENTIAL FARM BUILDINGS

69A-67.001 Administration and General Requirements.

Where a special amusement building is installed inside a nonresidential farm building regardless of occupant load, it **shall** meet the requirements as a special amusement assembly occupancy in the Florida Fire Prevention Code, as adopted in rule chapter 69A-60, F.A.C.



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CHAPTER 69A-67, FIRESAFETY STANDARDS FOR NONRESIDENTIAL FARM BUILDINGS

69A-67.004 Classes of Farm Buildings; Inspection Requirements.

- 1) The owner of an existing nonresidential farm building that **proposes** to use such building as a Class 1, 2, or 3 building for agritourism activities ***shall notify the AHJ prior to the use of such facility.***
- 2) In order to determine the classification of a farm building and whether the building meets the requirements outlined for that classification, the AHJ shall conduct an initial and annual inspection of only the farm building for which classification is being sought annually or if the building's classification changes.

