

ADMINISTRATIVE RULE REVIEW

	Rule No. 150-307-0470	
Repeal Rule	Page Page 1 of 1	Last Revised Date October 19, 2016
	NOTICE OF INTENDED ACTION	
Permanent Rule	Bulletin Dated November 2016	Hearing Scheduled November 22, 2016

PURPOSE: The 2009 amendments to ORS 307.397 exempted such hoop houses or similar buildings, structures or improvements. The statute now provides exemption for such structures if they are primarily used to grow plants for agricultural or horticultural production, that are covered with translucent or transparent material, and that have no permanent heat source (other than the sun). This rule is more restrictive than the statute without having any basis in the statute. The rule prohibits exemption for hoop houses with permanent climate control systems, even though the 2009 statute amendments only prevent exemption where a permanent heat source is present.

1 **150-307-0470 [Repealed 12/31/2016]**

2 **Hoop Houses**~~(1) Frost control systems include structures used to protect plants from extreme cold and~~
3 ~~use passive solar gain as their heat source.~~

4 ~~(2) An example of a qualifying structure is a hoop house which:~~

5 ~~(a) Has polyethylene sheeting and arched pipe rafters and wind bracing; and~~

6 ~~(b) Has no heating system other than solar gain; and~~

7 ~~(c) Is used for frost control; and which may~~

8 ~~(d) Use a sprinkling system to assist frost control.~~

9 ~~(3) An example of a structure that would not qualify as a frost control system is a hoop house which:~~

10 ~~(a) Has polyethylene sheeting and arched pipe rafters and wind bracing; and~~

11 ~~(b) Has a permanent heat source or climate control system.~~

12 ~~Stat. Auth.: ORS 305.100~~

13 ~~Stats. Implemented: ORS 150-307.400~~