

CERTIFICATION OF AGRICULTURAL USE

1. The undersigned has an ownership interest in certain land located in the unincorporated area of Miami County, Kansas described as follows (Address & Legal Description):

2. The undersigned acknowledges that the Board of Miami County Commissioners has adopted Zoning Regulations and has also adopted certain codes (including but not limited to building, mechanical, plumbing, and electrical codes, collectively referred to as “Building Codes”), both of which govern the use, construction, and maintenance of buildings in the unincorporated areas of Miami County, KS.
3. The undersigned further acknowledges that Miami County Zoning Regulations do not apply to structures used solely for agricultural purposes, as defined by Article 2, Section 2-1.01 of the Miami County Zoning Regulations.
4. A building or structure that is used solely for one or more of the following agricultural activities is eligible for consideration of an agriculture exemption:
1. animal husbandry
 2. dairying
 3. pasturing livestock
 4. operating and maintaining a concentrated animal feeding operation
 5. truck farming
 6. cultivating and growing field crops, hay, and sod
 7. cultivating and growing orchards and groves, including operating “pick your own” fruit, nut, vegetable, and berry facilities, except that sales of any product not raised, grown, or otherwise produced on the premises shall be prohibited
 8. raising fish
 9. raising birds or poultry
 10. raising bees and producing apiary products
 11. cultivating and growing trees, shrubs, and flowers for wholesale distribution
 12. the operation or maintenance of greenhouses, nurseries, or hydroponic farms operated as a retail operation, except that sales of any product not raised, grown, or otherwise produced on the premises shall be prohibited
 13. growing and harvesting woodland trees for wholesale distribution
 14. operating a farm winery as defined by state statute
 15. accessory uses necessary for the carrying out of farming operations, including structures for the storage and sale of products raised or grown on the premises.

A building or structure that is used for one or more of the following activities and/or is upon a land or parcel that meets the following description is NOT eligible for an agriculture exemption:

1. The operation or maintenance of greenhouses, nurseries, or hydroponic farms operated as a retail operation where products not raised, grown, or otherwise produced on the premises are sold.
2. Wholesale or retail sales of any product not raised, grown, or otherwise produced on the premises.
3. Lands which are used for recreational purposes even though such properties may produce or maintain some of the plants or animals listed herein.
4. Parcels that contain less than 20 acres where the primary function is for residential or recreational purposes even though such properties may produce or maintain some of the plants or animals listed herein.
5. Any use required to obtain a conditional use permit or that is otherwise regulated by these regulations.

5. The undersigned desires to build a structure on the above-described land and claims that the construction and use of the structure is exempt from the Miami County Zoning Regulations and is requesting exemption from building inspections (except for electrical, plumbing, HVAC) because the use will be solely for agricultural purposes and not otherwise. The following is a description of the use of the proposed structure:

6. The undersigned executes this Certificate at the request of Miami County Planning & Zoning Department to certify that the use of the proposed structure will be solely for agricultural purposes and not otherwise.

NOW, THEREFORE, the undersigned hereby certifies to Miami County, Kansas, its departments, and employees, as follows:

- (1) The proposed structure will be used solely for agricultural purposes and not otherwise.
- (2) If the use of the structure is changed at any time in the future such that it is no longer used solely for agricultural purposes, the undersigned has been informed that the use must comply with the then current Zoning Regulations and that the structure will have to be inspected and brought into compliance with the then current Building Codes.

Under oath and penalty of perjury, the undersigned makes the foregoing certification.

Printed Name	Signature
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Printed Name	Signature
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Date: _____	<i>(If the owner is a legal entity, provide the name of the legal entity and the capacity of the individual signing this certification, i.e. President, Manager, Member, Trustee, etc.)</i>
STATE OF _____	
COUNTY OF _____	

BE IT REMEMBERED, that on this _____ day of _____, 20__ before me, the undersigned, a Notary Public in and for the county and State aforesaid, came _____, who is/are personally known to me to be the same person(s) who executed the within instrument of writing, and such person(s) duly acknowledged the execution of the same.

IN WITNESSETH WHEREOF; I have hereunto set my hand and affixed my seal the day and year first above written.

My appointment expires: _____

Notary Public