

HOUSE BILL 1141

E4

8lr2725

By: **Delegates Jacobs, Afzali, Anderton, Arentz, Carozza, Ciliberti, Fisher, Folden, Ghrist, Grammer, Hornberger, Krebs, Long, McKay, Otto, Reilly, Robinson, and Wivell**

Introduced and read first time: February 8, 2018

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Building Performance Standards – Agricultural Buildings Used for Agritourism**
3 **– Exemption**

4 FOR the purpose of altering the application of certain provisions of law exempting
5 agricultural buildings used for agritourism from a certain permit requirement; and
6 generally relating to a permit exemption for agricultural buildings used for
7 agritourism.

8 BY repealing and reenacting, with amendments,
9 Article – Public Safety
10 Section 12–508
11 Annotated Code of Maryland
12 (2011 Replacement Volume and 2017 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

Article – Public Safety

15
16 12–508.

17 (a) (1) In this section, “agricultural building” means a structure designed and
18 constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural
19 products.

20 (2) “Agricultural building” does not include a place of human residence.

21 (b) [This section applies only to Calvert County, Cecil County, Charles County,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Dorchester County, Frederick County, Garrett County, Harford County, Prince George's
2 County, St. Mary's County, Somerset County, and Talbot County.

3 (c) The Standards do not apply to the construction, alteration, or modification of
4 an agricultural building for which agritourism is an intended subordinate use.

5 [(d) (C) (1) [An] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
6 SUBSECTION, AN existing agricultural building used for agritourism is not considered a
7 change of occupancy that requires a building permit if the subordinate use of agritourism:

8 [(1) (I) is in accordance with limitations set forth in regulations adopted
9 by the Department;

10 [(2) (II) occupies only levels of the building on which a ground level exit
11 is located; and

12 [(3) (III) [except as provided in subsection (e) of this section,] does not
13 require more than 50 people to occupy an individual building at any one time.

14 [(e) (2) In Cecil County and Garrett County, an existing agricultural building
15 used for agritourism is not considered a change of occupancy that requires a building permit
16 if:

17 [(1) (I) the subordinate use of agritourism does not require more than
18 200 people to occupy an individual building at any one time; and

19 [(2) (II) the total width of means of egress meets or exceeds the
20 International Building Code standard that applies to egress components other than
21 stairways in a building without a sprinkler system.

22 [(f) (D) An agricultural building used for agritourism:

23 (1) shall be structurally sound and in good repair; but

24 (2) need not comply with:

25 (i) requirements for bathrooms, sprinkler systems, and elevators set
26 forth in the Standards; or

27 (ii) any other requirements of the Standards or other building codes
28 as set forth in regulations adopted by the Department.

29 [(g) (E) The Department shall adopt regulations to implement this section.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2018.