

HOUSE BILL 639

E4, L2, M4

(9lr1963)

ENROLLED BILL

— Environment and Transportation/Education, Health, and Environmental Affairs —

Introduced by ~~Delegates Howard, Bagnall, Bartlett, Cain, Carey, Chang, Chisholm, Kipke, Lehman, Malone, Pena-Melnyk, Rogers, and Saab~~ Anne Arundel County Delegation

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 ~~Anne Arundel County~~ **Public Safety – Buildings Used for Agritourism**

3 FOR the purpose of adding ~~Anne Arundel County~~ certain counties to the list of counties
4 that exempt agricultural buildings used for agritourism from certain building
5 performance standards; exempting a building used for agritourism in ~~Anne Arundel~~
6 ~~County~~ certain counties from a certain permit requirement under certain
7 circumstances; and generally relating to buildings used for agritourism *in Allegany*
8 *County, Anne Arundel County, Baltimore County, Kent County, Prince George's*
9 *County, and St. Mary's County* ~~in Anne Arundel County~~.

10 BY repealing and reenacting, with amendments,

11 Article – Public Safety

12 Section 12–508

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 Annotated Code of Maryland
2 (2018 Replacement Volume)

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

5 **Article – Public Safety**

6 12–508.

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

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

11 (b) This section applies only to:

12 (1) ALLEGANY COUNTY, ANNE ARUNDEL COUNTY, BALTIMORE
13 COUNTY, Calvert County, Carroll County, Cecil County, Charles County, Dorchester
14 County, Frederick County, Garrett County, Harford County, Howard County, KENT
15 COUNTY, Prince George’s County, St. Mary’s County, Somerset County, and Talbot
16 County; or

17 (2) a county where the local legislative body has approved the application
18 of this section to the county.

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

21 (d) Except as provided in subsection (e) of this section, an existing agricultural
22 building used for agritourism is not considered a change of occupancy that requires a
23 building permit if the subordinate use of agritourism:

24 (1) is in accordance with limitations set forth in regulations adopted by the
25 Department;

26 (2) occupies only levels of the building on which a ground level exit is
27 located; and

28 (3) does not require more than 50 people to occupy an individual building
29 at any one time.

30 (e) In ALLEGANY COUNTY, ANNE ARUNDEL COUNTY, BALTIMORE COUNTY,
31 Carroll County, Cecil County, Garrett County, ~~and~~ Howard County, KENT COUNTY,
32 PRINCE GEORGE’S COUNTY, AND ST. MARY’S COUNTY, an existing agricultural

1 building used for agritourism is not considered a change of occupancy that requires a
2 building permit if:

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

5 (2) the total width of means of egress meets or exceeds the International
6 Building Code standard that applies to egress components other than stairways in a
7 building without a sprinkler system.

8 (f) An agricultural building used for agritourism:

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

10 (2) need not comply with:

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

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

15 (g) The Department shall adopt regulations to implement this section.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2019.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.