

HOUSE BILL 639

E4, L2, M4

9lr1963
CF SB 99

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

Introduced and read first time: February 6, 2019
Assigned to: Environment and Transportation

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 11, 2019

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 Anne~~
8 ~~Arundel County~~.

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 12–508
12 Annotated Code of Maryland
13 (2018 Replacement Volume)

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

16 **Article – Public Safety**

17 12–508.

18 (a) (1) In this section, “agricultural building” means a structure designed and

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.



1 constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural
2 products.

3 (2) "Agricultural building" does not include a place of human residence.

4 (b) This section applies only to:

5 (1) ALLEGANY COUNTY, ANNE ARUNDEL COUNTY, Calvert County,
6 Carroll County, Cecil County, Charles County, Dorchester County, Frederick County,
7 Garrett County, Harford County, Howard County, KENT COUNTY, Prince George's
8 County, St. Mary's County, Somerset County, and Talbot County; or

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

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

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

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

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

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

22 (e) In ALLEGANY COUNTY, ANNE ARUNDEL COUNTY, Carroll County, Cecil
23 County, Garrett County, ~~and~~ Howard County, KENT COUNTY, PRINCE GEORGE'S
24 COUNTY, AND ST. MARY'S COUNTY, an existing agricultural building used for
25 agritourism is not considered a change of occupancy that requires a building permit if:

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

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

31 (f) An agricultural building used for agritourism:

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

1 (2) need not comply with:

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

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.