

SENATE BILL 99

E4, L2, M4

9lr1131
CF HB 639

By: **Senators Elfreth, Reilly, ~~and Beidle~~ Beidle, and Patterson**

Introduced and read first time: January 14, 2019

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: February 28, 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 Allegany
8 County, Anne Arundel County, Baltimore County, Kent County, Prince George's
9 County, and St. Mary's County.

10 BY repealing and reenacting, with amendments,

11 Article – Public Safety

12 Section 12–508

13 Annotated Code of Maryland

14 (2018 Replacement Volume)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

16 That the Laws of Maryland read as follows:

17 **Article – Public Safety**

18 12–508.

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

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 products.

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

3 (b) This section applies only to:

4 (1) ALLEGANY COUNTY, ANNE ARUNDEL COUNTY, BALTIMORE
5 COUNTY, Calvert County, Carroll County, Cecil County, Charles County, Dorchester
6 County, Frederick County, Garrett County, Harford County, Howard County, KENT
7 COUNTY, Prince George's County, St. Mary's County, Somerset County, and Talbot
8 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, BALTIMORE
23 COUNTY, Carroll County, Cecil County, Garrett County, ~~and~~ Howard County, KENT
24 COUNTY, PRINCE GEORGE'S COUNTY, AND ST. MARY'S COUNTY, an existing
25 agricultural building used for agritourism is not considered a change of occupancy that
26 requires a building permit if:

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

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

32 (f) An agricultural building used for agritourism:

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

2 (2) need not comply with:

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

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.