

HOUSE BILL 335

E4, M4

0lr1326
CF 0lr1327

By: **Charles County Delegation**

Introduced and read first time: January 20, 2020

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Charles County – Public Safety – Buildings Used for Agritourism**

3 FOR the purpose of adding Charles County to the list of counties where an existing
4 agricultural building used for agritourism is not considered a change of occupancy
5 that requires a building permit under certain circumstances; and generally relating
6 to buildings used for agritourism in Charles County.

7 BY repealing and reenacting, without amendments,
8 Article – Public Safety
9 Section 12–501(a) and (h)
10 Annotated Code of Maryland
11 (2018 Replacement Volume and 2019 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Public Safety
14 Section 12–508
15 Annotated Code of Maryland
16 (2018 Replacement Volume and 2019 Supplement)

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

19 **Article – Public Safety**

20 12–501.

21 (a) In this subtitle the following words have the meanings indicated.

22 (h) “Standards” means the Maryland Building Performance Standards.

23 12–508.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

5 (b) This section applies only to:

6 (1) Allegany County, Anne Arundel County, Baltimore County, Calvert
7 County, Carroll County, Cecil County, Charles County, Dorchester County, Frederick
8 County, Garrett County, Harford County, Howard County, Kent County, Prince George’s
9 County, St. Mary’s County, Somerset County, and Talbot County; or

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

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

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

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

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

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

23 (e) In Allegany County, Anne Arundel County, Baltimore County, Carroll
24 County, Cecil County, **CHARLES COUNTY**, Garrett County, Howard County, Kent County,
25 Prince George’s County, and St. Mary’s County, an existing agricultural building used for
26 agritourism is not considered a change of occupancy that 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, 2020.