

HOUSE BILL 12

E4, L2, M4

(2lr0937)

ENROLLED BILL

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

Introduced by ~~Delegates Otto and Hartman~~ Worcester 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 **Worcester County – Public Safety – Buildings Used for Agritourism**

3 FOR the purpose of adding Worcester 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 Worcester County.

7 BY repealing and reenacting, with amendments,

8 Article – Public Safety

9 Section 12–508

10 Annotated Code of Maryland

11 (2018 Replacement Volume and 2021 Supplement)

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

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.



Article – Public Safety

12–508.

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

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

(b) This section applies only to:

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

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

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

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

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

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

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

(e) In Allegany County, Anne Arundel County, Baltimore County, Calvert County, Carroll County, Cecil County, Garrett County, Howard County, Kent County, Prince George’s County, [and] St. Mary’s County, **AND WORCESTER COUNTY**, an existing agricultural building used for agritourism is not considered a change of occupancy that requires a building permit if:

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

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

4 (f) (1) In Montgomery County, an existing agricultural building used for
5 agritourism is not considered a change of occupancy that requires a building permit as
6 provided in this subsection.

7 (2) Except as provided in paragraph (3) of this subsection, if the
8 subordinate use of agritourism does not require more than 50 people to occupy an individual
9 building at any one time, then that use must be:

10 (i) in accordance with limitations established by the Department;
11 and

12 (ii) limited to levels of the building on which a ground level exit is
13 located.

14 (3) If the subordinate use of agritourism requires more than 50 people but
15 fewer than 100 people to occupy an individual building at any one time, then that use must
16 be:

17 (i) in accordance with the requirements in paragraph (2) of this
18 subsection; and

19 (ii) the total width and number of means of egress must meet or
20 exceed the International Building Code standard that applies to egress components other
21 than stairways in a building without a sprinkler system.

22 (g) 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 (h) 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~~ June 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.