

# HOUSE BILL 749

E4, L2, M4

5lr2406  
CF SB 580

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By: **Washington County Delegation**

Introduced and read first time: January 27, 2025

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of adding Washington 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 Washington County.

7 BY repealing and reenacting, with amendments,  
8 Article – Public Safety  
9 Section 12–508  
10 Annotated Code of Maryland  
11 (2022 Replacement Volume and 2024 Supplement)

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

14 **Article – Public Safety**

15 12–508.

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

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

20 (b) This section applies only to:

21 (1) Allegany County, Anne Arundel County, Baltimore County, Calvert  
22 County, Carroll County, Cecil County, Charles County, Dorchester County, Frederick  
23 County, Garrett County, Harford County, Howard County, Kent County, Montgomery

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 County, Prince George's County, Queen Anne's County, St. Mary's County, Somerset  
2 County, and Talbot County; or

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

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

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

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

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

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

16 (e) In Allegany County, Anne Arundel County, Baltimore County, Calvert  
17 County, Carroll County, Cecil County, Garrett County, Howard County, Kent County,  
18 Prince George's County, Queen Anne's County, St. Mary's County, **WASHINGTON**  
19 **COUNTY**, and Worcester County, an existing agricultural building used for agritourism is  
20 not considered a change of occupancy that requires a building permit if:

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

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

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

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

32 (i) in accordance with limitations established by the Department;  
33 and

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

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

6 (i) in accordance with the requirements in paragraph (2) of this  
7 subsection; and

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

11 (g) An agricultural building used for agritourism:

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

13 (2) need not comply with:

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

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

18 (h) The Department shall adopt regulations to implement this section.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
20 1, 2025.