

HOUSE BILL 1116

E4

8lr2449
CF SB 1152

By: ~~Delegates Krebs and Afzali~~ Carroll County Delegation

Introduced and read first time: February 7, 2018

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2018

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Agritourism – Permit Exemption**

3 FOR the purpose of adding Carroll County and Howard County to the list of counties that
4 exempt agricultural buildings engaged in agritourism from a certain permit
5 requirement; providing for the number of people allowed to occupy a building
6 engaged in agritourism in Carroll County and Howard County under certain
7 circumstances; making a technical correction; and generally relating to a permit
8 exemption for certain buildings engaged in agritourism.

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 12–508
12 Annotated Code of Maryland
13 (2011 Replacement Volume and 2017 Supplement)

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
19 constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural
20 products.

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

2 (b) This section applies only to Calvert County, **CARROLL COUNTY**, Cecil
3 County, Charles County, Dorchester County, Frederick County, Garrett County, Harford
4 County, **HOWARD COUNTY**, Prince George's County, St. Mary's County, Somerset County,
5 and Talbot County.

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

8 (d) An existing agricultural building used for agritourism is not considered a
9 change of occupancy that 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) except as provided in subsection (e) **OF THIS SECTION**, does not require
15 more than 50 people to occupy an individual building at any one time.

16 (e) In **CARROLL COUNTY**, Cecil County, ~~and~~ Garrett County, **AND HOWARD**
17 **COUNTY**, an existing agricultural building used for agritourism is not considered a change
18 of occupancy that requires a building permit if:

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

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

24 (f) An agricultural building used for agritourism:

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

26 (2) need not comply with:

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

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

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

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.