

HOUSE BILL 1120

L6, M4

8lr2043

By: **Delegates Rey and McMillan**

Introduced and read first time: February 8, 2018

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Land Use – Zoning – Agritourism Activities**

3 FOR the purpose of requiring a local jurisdiction to authorize agritourism activities on
4 farms in a certain manner; providing for the application of this Act to charter
5 counties; defining the term “agritourism”; and generally relating to agritourism
6 activities.

7 BY adding to

8 Article – Land Use

9 Section 1–401(b)(12) and 4–211

10 Annotated Code of Maryland

11 (2012 Volume and 2017 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Land Use

14 Section 1–401(b)(12) through (23)

15 Annotated Code of Maryland

16 (2012 Volume and 2017 Supplement)

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

18 That the Laws of Maryland read as follows:

19 **Article – Land Use**

20 1–401.

21 (b) The following provisions of this division apply to a charter county:

22 **(12) § 4–211 (AGRITOURISM ACTIVITIES);**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 [(12)] (13) § 5–102(d) (Subdivision regulations – Burial sites);

2 [(13)] (14) § 5–104 (Major subdivision – Review);

3 [(14)] (15) Title 7, Subtitle 1 (Development Mechanisms);

4 [(15)] (16) Title 7, Subtitle 2 (Transfer of Development Rights);

5 [(16)] (17) except in Montgomery County or Prince George’s County, Title
6 7, Subtitle 3 (Development Rights and Responsibilities Agreements);

7 [(17)] (18) Title 7, Subtitle 4 (Inclusionary Zoning);

8 [(18)] (19) § 8–401 (Conversion of overhead facilities);

9 [(19)] (20) for Baltimore County only, Title 9, Subtitle 3 (Single–County
10 Provisions – Baltimore County);

11 [(20)] (21) for Frederick County only, Title 9, Subtitle 10 (Single–County
12 Provisions – Frederick County);

13 [(21)] (22) for Howard County only, Title 9, Subtitle 13 (Single–County
14 Provisions – Howard County);

15 [(22)] (23) for Talbot County only, Title 9, Subtitle 18 (Single–County
16 Provisions – Talbot County); and

17 [(23)] (24) Title 11, Subtitle 2 (Civil Penalty).

18 **4–211.**

19 (A) **IN THIS SECTION, “AGRITOURISM ACTIVITY” MEANS AN ACTIVITY**
20 **CONDUCTED ON A FARM THAT IS OFFERED TO A MEMBER OF THE GENERAL PUBLIC**
21 **OR TO INVITED GUESTS FOR THE PURPOSE OF EDUCATION, RECREATION, ACTIVE**
22 **INVOLVEMENT IN THE FARM OPERATION, OR TO VIEW OR ENJOY AGRICULTURAL**
23 **ACTIVITIES.**

24 (B) **“AGRITOURISM ACTIVITY” INCLUDES:**

25 (1) **FARM TOURS;**

26 (2) **HAYRIDES;**

27 (3) **CORN MAZES;**

- 1 **(4) SEASONAL PETTING FARMS;**
- 2 **(5) FARM MUSEUMS;**
- 3 **(6) GUEST FARMS;**
- 4 **(7) PUMPKIN PATCHES;**
- 5 **(8) “PICK YOUR OWN” OR “CUT YOUR OWN” PRODUCE;**
- 6 **(9) CLASSES RELATED TO AGRICULTURAL PRODUCTS OR SKILLS;**
- 7 **(10) BED AND BREAKFAST ACCOMMODATIONS;**
- 8 **(11) BARN PARTIES OR FARM FESTIVALS;**
- 9 **(12) WEDDINGS;**
- 10 **(13) OUTDOOR RECREATION ACTIVITIES, INCLUDING:**
 - 11 **(I) HUNTING AND FISHING;**
 - 12 **(II) SWIMMING;**
 - 13 **(III) BOATING, CANOEING, KAYAKING, WATER SKIING, OR**
14 **TUBING;**
 - 15 **(IV) TEMPORARY CAMPING;**
 - 16 **(V) HIKING;**
 - 17 **(VI) PAINTBALL; AND**
 - 18 **(VII) NONMOTORIZED FREESTYLE, MOUNTAIN, OR OFF-ROAD**
19 **BICYCLING; AND**
- 20 **(14) PICNIC AND PARTY FACILITIES OFFERED IN CONJUNCTION WITH**
21 **ANY AGRITOURISM ACTIVITY.**
- 22 **(C) BY LOCAL ORDINANCE, RESOLUTION, LAW, OR RULE, A LOCAL**
23 **JURISDICTION SHALL AUTHORIZE AGRITOURISM ACTIVITIES ON FARMS.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

1 October 1, 2018.