

HOUSE BILL 639

E4, L2, M4

9lr1963
CF SB 99

By: **Delegates Howard, Bagnall, Bartlett, Cain, Carey, Chang, Chisholm, Kipke,
Lehman, Malone, Pena–Melnik, Rogers, and Saab**

Introduced and read first time: February 6, 2019

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Public Safety – Buildings Used for Agritourism**

3 FOR the purpose of adding Anne Arundel County to the list of counties that exempt
4 agricultural buildings used for agritourism from certain building performance
5 standards; exempting a building used for agritourism in Anne Arundel County from
6 a certain permit requirement under certain circumstances; and generally relating to
7 buildings used for agritourism in Anne Arundel County.

8 BY repealing and reenacting, with amendments,

9 Article – Public Safety

10 Section 12–508

11 Annotated Code of Maryland

12 (2018 Replacement Volume)

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

14 That the Laws of Maryland read as follows:

15 **Article – Public Safety**

16 12–508.

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

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

21 (b) This section applies only to:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) **ANNE ARUNDEL COUNTY**, Calvert County, Carroll County, Cecil
2 County, Charles County, Dorchester County, Frederick County, Garrett County, Harford
3 County, Howard County, Prince George's County, St. Mary's County, Somerset County, and
4 Talbot County; or

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

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

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

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

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

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

18 (e) In **ANNE ARUNDEL COUNTY**, Carroll County, Cecil County, Garrett County,
19 and Howard County, an existing agricultural building used for agritourism is not
20 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) An agricultural building used for agritourism:

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

28 (2) need not comply with:

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

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

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

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
3 October 1, 2019.