

SENATE BILL 446

E4

9lr1468
CF 9lr1469

By: **Senators Jennings, Klausmeier, Nathan–Pulliam, Salling, and West**

Introduced and read first time: February 1, 2019

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

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

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

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:

22 (1) **BALTIMORE COUNTY**, Calvert County, Carroll County, Cecil County,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Charles County, Dorchester County, Frederick County, Garrett County, Harford County,
2 Howard County, Prince George's County, St. Mary's County, Somerset County, and Talbot
3 County; or

4 (2) a county where the local legislative body has approved the application
5 of this section to the 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) Except as provided in subsection (e) of this section, an existing agricultural
9 building used for agritourism is not considered a change of occupancy that requires a
10 building permit if the subordinate use of agritourism:

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

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

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

17 (e) In **BALTIMORE COUNTY**, Carroll County, Cecil County, Garrett County, and
18 Howard County, an existing agricultural building used for agritourism is not considered a
19 change of occupancy that requires a building permit if:

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

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

25 (f) An agricultural building used for agritourism:

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

27 (2) need not comply with:

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

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

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

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