

Chapter 241

(House Bill 1141)

AN ACT concerning

**Building Performance Standards – Agricultural Buildings Used for Agritourism
– Exemption**

FOR the purpose of altering the application of certain provisions of law exempting agricultural buildings used for agritourism from a certain permit requirement; and generally relating to a permit exemption for agricultural buildings used for agritourism.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 12–508

Annotated Code of Maryland

(2011 Replacement Volume and 2017 Supplement)

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

Article – Public Safety

12–508.

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

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

(b) ~~This section applies only to:~~

(1) Calvert County, Cecil County, Charles County, Dorchester County, Frederick County, Garrett County, Harford County, Prince George’s County, St. Mary’s County, Somerset County, and Talbot County;OR

(2) A COUNTY WHERE THE LOCAL LEGISLATIVE BODY HAS APPROVED THE APPLICATION OF THIS SECTION TO THE COUNTY.

(c) ~~This section applies only to:~~ The Standards do not apply to the construction, alteration, or modification of an agricultural building for which agritourism is an intended subordinate use.

~~(d) (e) (1)~~ [An] EXCEPT AS PROVIDED IN ~~PARAGRAPH (2)~~ SUBSECTION ~~(E)~~ OF THIS ~~SUBSECTION~~ SECTION, AN existing agricultural building used for agritourism is not considered a change of occupancy that requires a building permit if the subordinate use of agritourism:

~~(1) (2)~~ is in accordance with limitations set forth in regulations adopted by the Department;

~~(2) (3)~~ occupies only levels of the building on which a ground level exit is located; and

~~(3) (4)~~ [except as provided in subsection (e) of this section,] does not require more than 50 people to occupy an individual building at any one time.

~~(e) (2)~~ In Cecil County and Garrett County, an existing agricultural building used for agritourism is not considered a change of occupancy that requires a building permit if:

~~(1) (2)~~ the subordinate use of agritourism does not require more than 200 people to occupy an individual building at any one time; and

~~(2) (3)~~ the total width of means of egress meets or exceeds the International Building Code standard that applies to egress components other than stairways in a building without a sprinkler system.

~~(f) (D)~~ An agricultural building used for agritourism:

- (1) shall be structurally sound and in good repair; but
- (2) need not comply with:

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

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

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

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

Approved by the Governor, April 24, 2018.