

HOUSE BILL 1116

E4

8lr2449
CF 8lr3748

By: **Delegates Krebs and Afzali**

Introduced and read first time: February 7, 2018

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of adding Carroll 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 Carroll
6 County under certain circumstances; making a technical correction; and generally
7 relating to a permit 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 (2011 Replacement Volume and 2017 Supplement)

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 Calvert County, **CARROLL COUNTY**, Cecil
22 County, Charles County, Dorchester County, Frederick County, Garrett County, Harford
23 County, Prince George’s County, St. Mary’s County, Somerset County, and Talbot County.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 (d) An existing agricultural building used for agritourism is not considered a
4 change of occupancy that requires a building permit if the subordinate use of agritourism:

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

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

9 (3) except as provided in subsection (e) **OF THIS SECTION**, does not require
10 more than 50 people to occupy an individual building at any one time.

11 (e) In **CARROLL COUNTY**, Cecil County, and Garrett County, an existing
12 agricultural building used for agritourism is not considered a change of occupancy that
13 requires a building permit if:

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

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

19 (f) An agricultural building used for agritourism:

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

21 (2) need not comply with:

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

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

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

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