

# HOUSE BILL 1141

E4

8lr2725

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By: **Delegates Jacobs, Afzali, Anderton, Arentz, Carozza, Ciliberti, Fisher, Folden, Ghrist, Grammer, Hornberger, Krebs, Long, McKay, Otto, Reilly, Robinson, and Wivell**

Introduced and read first time: February 8, 2018

Assigned to: Environment and Transportation

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2018

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

4 FOR the purpose of altering the application of certain provisions of law exempting  
5 agricultural buildings used for agritourism from a certain permit requirement; and  
6 generally relating to a permit exemption for agricultural buildings used for  
7 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.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

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

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

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

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

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

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

17 ~~(1)~~ ~~(1)~~ is in accordance with limitations set forth in regulations adopted  
18 by the Department;

19 ~~(2)~~ ~~(1)~~ occupies only levels of the building on which a ground level exit  
20 is located; and

21 ~~(3)~~ ~~(1)~~ [except as provided in subsection (e) of this section,] does not  
22 require more than 50 people to occupy an individual building at any one time.

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

26 ~~(1)~~ ~~(1)~~ the subordinate use of agritourism does not require more than  
27 200 people to occupy an individual building at any one time; and

28 ~~(2)~~ ~~(1)~~ the total width of means of egress meets or exceeds the  
29 International Building Code standard that applies to egress components other than  
30 stairways in a building without a sprinkler system.

31 ~~(f)~~ ~~(1)~~ An agricultural building used for agritourism:

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

1                   (2)    need not comply with:

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

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

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

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.