

HOUSE BILL 12

E4, L2, M4

(PRE-FILED)

2lr0937
CF SB 32

By: ~~Delegates Otto and Hartman~~ Worcester County Delegation

Requested: October 25, 2021

Introduced and read first time: January 12, 2022

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2022

CHAPTER _____

1 AN ACT concerning

2 **Worcester County – Public Safety – Buildings Used for Agritourism**

3 FOR the purpose of adding Worcester County to the list of counties where an existing
4 agricultural building used for agritourism is not considered a change of occupancy
5 that requires a building permit under certain circumstances; and generally relating
6 to buildings used for agritourism in Worcester County.

7 BY repealing and reenacting, with amendments,
8 Article – Public Safety
9 Section 12–508
10 Annotated Code of Maryland
11 (2018 Replacement Volume and 2021 Supplement)

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

14 **Article – Public Safety**

15 12–508.

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

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

2 (b) This section applies only to:

3 (1) Allegany County, Anne Arundel County, Baltimore County, Calvert
4 County, Carroll County, Cecil County, Charles County, Dorchester County, Frederick
5 County, Garrett County, Harford County, Howard County, Kent County, Montgomery
6 County, Prince George's County, St. Mary's County, Somerset County, and Talbot County;
7 or

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

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

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

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

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

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

21 (e) In Allegany County, Anne Arundel County, Baltimore County, Calvert
22 County, Carroll County, Cecil County, Garrett County, Howard County, Kent County,
23 Prince George's County, [and] St. Mary's County, **AND WORCESTER COUNTY**, an existing
24 agricultural building used for agritourism is not considered a change of occupancy that
25 requires a building permit if:

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

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

31 (f) (1) In Montgomery County, an existing agricultural building used for
32 agritourism is not considered a change of occupancy that requires a building permit as
33 provided in this subsection.

34 (2) Except as provided in paragraph (3) of this subsection, if the

1 subordinate use of agritourism does not require more than 50 people to occupy an individual
2 building at any one time, then that use must be:

3 (i) in accordance with limitations established by the Department;
4 and

5 (ii) limited to levels of the building on which a ground level exit is
6 located.

7 (3) If the subordinate use of agritourism requires more than 50 people but
8 fewer than 100 people to occupy an individual building at any one time, then that use must
9 be:

10 (i) in accordance with the requirements in paragraph (2) of this
11 subsection; and

12 (ii) the total width and number of means of egress must meet or
13 exceed the International Building Code standard that applies to egress components other
14 than stairways in a building without a sprinkler system.

15 (g) An agricultural building used for agritourism:

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

17 (2) need not comply with:

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

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

22 (h) The Department shall adopt regulations to implement this section.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2022.