



Montgomery County

Office of Intergovernmental Relations

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HB 805

DATE: March 10, 2020

SPONSOR: Montgomery County Delegation

ASSIGNED TO: Environment and Transportation

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POSITION: SUPPORT WITH AMENDMENTS

Montgomery County – Public Safety – Buildings Used for Agritourism MC 26-20

House Bill 805 exempts an owner of an agricultural building in Montgomery County from adhering to the Maryland Building Performance Standards (MBPS) for construction, alteration, or modification of the building when agritourism is a subordinate use. The bill also exempts existing agricultural buildings used for agritourism in Montgomery County from obtaining a change of occupancy permit if the agritourism use: (1) is in accordance with limitations set forth in regulations adopted by the Maryland Department of Labor (MDL); (2) occupies only levels of the building where a ground level exit is located; and (3) does not require more than 50 people to occupy the building at any one time. There are currently 17 counties where the MBPS do not apply and a change of occupancy permit is not required for agritourism when the above requirements are met.

Montgomery County supports House Bill 805 with the amendments approved by the Montgomery County House Delegation. These amendments establish requirements for an additional occupancy level for agritourism in Montgomery County. If 51-100 people are occupying a building used for agritourism in Montgomery County, then MBPS do not apply and a change of occupancy permit is not required if the agritourism use: (1) is in accordance with limitations set forth in regulations adopted by MDL; (2) occupies only levels of the building where a ground level exit is located; and (3) the total width and number of means of egress must meet or exceed the International Building Code Standard that applies to egress components other than stairways in a building without a sprinkler system.

Like many other counties across the State, Montgomery County has seen an increase in agritourism activities over the past few years. The amendments approved by the Montgomery County House Delegation seek to expand the occupancy, while continuing to ensure public safety remains a priority.