



# Maryland Department of Agriculture

*Office of the Secretary*

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### Legislative Comment

**Date:** March 5, 2021

**BILL NUMBER:** House Bill 801

**SHORT TITLE:** Calvert County – Public Safety – Buildings Used for Agritourism

**MDA POSITION:** Information

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House Bill 801 exempts agricultural buildings in Calvert County from obtaining a change of occupancy permit if (1) the building's use for agritourism does not require it to be occupied by more than 200 people at any one time and (2) the width of egress for the building meets specified building code standards.

Agricultural buildings in Calvert County used for agritourism are already exempt from adhering to the Maryland Building Performance Standards (MBPS).

The Maryland Department of Agriculture (MDA) works to support the sustainable, economic success of Maryland farmers. In a state with many consumers who have the resources to spend on recreation, agritourism presents a viable opportunity to diversify farm operations. Agritourism supports the preservation of farm-based amenities, fits well with state and local goals of maintaining and preserving open space, and helps counties retain cultural, historic values.

The last agricultural census completed by the U.S. Department of Agriculture's National Agricultural Statistics Service in 2017 indicated there were 295 agritourism farms in Maryland, with revenues of nearly \$10 million.

In 2018, the General Assembly passed legislation allowing counties the opportunity to adopt a statewide definition of agritourism in zoning and/or other ordinances. Governor Hogan signed Chapter 672 of 2018 (House Bill 252) into law in May 2018. This law defines "agritourism" as an activity conducted on a farm that is offered to a member of the general public or to invited guests for the purpose of education, recreation, or active involvement in the farm operation. This includes farm tours, hayrides, corn mazes, seasonal petting farms, farm museums, guest farms, pumpkin patches, "pick your own" or "cut your own" produce, classes related to agricultural

products or skills, and picnic and party facilities offered in conjunction with any agritourism activity.

If you have additional questions, please contact Cassie Shirk, Director of Legislation and Governmental Affairs, at [cassie.shirk@maryland.gov](mailto:cassie.shirk@maryland.gov) or 410-841-5886.