

Testimony of the Maryland Horse Council on
HB 263 - Real Property - Nuisance Actions - Rodent Harborage:
Favorable with Amendment

Hearing before the House Environment & Transportation Committee,
February 2, 2022

The Maryland Horse Council (MHC) is a membership-based, umbrella trade association of the entire horse industry in Maryland. Our membership includes horse farms and stables, horse-related businesses, and horse owners, representing all facets of the Maryland equestrian community, from the owners of race horses to the owners of trail horses or just beloved retired companion horses. As such, we represent over 30,000 Marylanders.



Horse farms occupy 705,000 acres of Maryland, which is 10% of the state's total land area, and 25% of Maryland's agricultural land.

MHC believes that HB 263 is well-intentioned and perhaps necessary in the urban context, but is unnecessary and counter-productive when applied to rural areas, and could weaken and undermine Maryland's Right to Farm laws.

Both livestock operations and crop farms often store relatively large amounts of grain. Reasonable and environmentally sound precautions are taken to minimize loss of grain stores to rodents, but a population of mice and occasionally rats are a fact of farm life. Moreover, rodents are an important part of the ecological balance throughout the rural landscape, as they are significant components of the diets of birds of prey such as hawks and eagles, as well as foxes and other predatory wildlife.

MHC opposed this bill last session for the above reasons, and we appreciate that this bill includes an exemption for properties "zoned for agricultural use." We are concerned, however, that this language is too narrow and specific to effectuate the needed exemption. For example, Montgomery County has only one zoning district that contains the word "agricultural" in its name, and that is for the special, protected, Agricultural Reserve. It has three additional districts that are called "rural." "Farming" is permitted in all four of these districts. "Farming" is also permitted in all seven of the "Residential Detached" zones. In Howard County, the word 'agricultural' does not appear in any zoning district name, yet 'farming' is allowed in every zoning district other than the manufacturing and commercial office building zones. We suggest that a more precise and workable approach would be to exempt properties "where agricultural activities or farming, including the keeping of livestock and poultry, is permissible under local law or regulation."

MHC would support this bill if so amended.

Respectfully submitted,

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