



MARYLAND
HORSE
COUNCIL

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One Common Bond: The Horse
One Common Voice: The Horse Council

Testimony of the Maryland Horse Council on HB 841

Real Property - Nuisance Actions - Rodent Harborage – **FAVORABLE WITH AMENDMENT**

The Maryland Horse Council (MHC) is a membership-based trade association that represents the state-wide horse industry in Maryland. Our members include horse farms; horse related businesses; equestrian competitors; trainers; individual enthusiasts; equine-assisted therapy programs; and breed, interest, and discipline associations. We represent over 30,000 Marylanders who make their living with horses, or who just own and love them. 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.

While HB 841 is perhaps necessary in the urban context, is unnecessary and counter-productive when applied to rural areas, and could undermine Maryland's Right to Farm laws. Both livestock operations and crop farms 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 other rodents 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.

Although the bill includes an exemption for properties "zoned for agricultural use," we are concerned that this language is too narrow and specific to have the desired effect because of the way zoning definitions work at the county level. 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.***"

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