

# SENATE BILL 432

E4, M4

0lr1327  
CF HB 335

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By: **Charles County Senators**

Introduced and read first time: January 27, 2020

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 8, 2020

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

3 FOR the purpose of adding Charles 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 Charles County.

7 BY repealing and reenacting, without amendments,  
8 Article – Public Safety  
9 Section 12–501(a) and (h)  
10 Annotated Code of Maryland  
11 (2018 Replacement Volume and 2019 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article – Public Safety  
14 Section 12–508  
15 Annotated Code of Maryland  
16 (2018 Replacement Volume and 2019 Supplement)

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

19 **Article – Public Safety**

20 12–501.

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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 (a) In this subtitle the following words have the meanings indicated.

2 (h) “Standards” means the Maryland Building Performance Standards.

3 12–508.

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

7 (2) “Agricultural building” does not include a place of human residence.

8 (b) This section applies only to:

9 (1) Allegany County, Anne Arundel County, Baltimore County, Calvert  
10 County, Carroll County, Cecil County, Charles County, Dorchester County, Frederick  
11 County, Garrett County, Harford County, Howard County, Kent County, Prince George’s  
12 County, St. Mary’s County, Somerset County, and Talbot County; or

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

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

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

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

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

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

26 (e) In Allegany County, Anne Arundel County, Baltimore County, Carroll  
27 County, Cecil County, **CHARLES COUNTY**, Garrett County, Howard County, Kent County,  
28 Prince George’s County, and St. Mary’s County, an existing agricultural building used for  
29 agritourism is not considered a change of occupancy that requires a building permit if:

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

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

4           (f)    An agricultural building used for agritourism:

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

6                (2)   need not comply with:

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

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

11           (g)    The Department shall adopt regulations to implement this section.

12           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2020.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.