

SENATE BILL 817

E4

(7lr3188)

ENROLLED BILL

— *Education, Health, and Environmental Affairs/Environment and Transportation* —

Introduced by ~~Cecil County Senators~~ *Senators Hershey, Norman, and Edwards*

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Agritourism – Permit Exemption**

3 FOR the purpose of adding Cecil County and Garrett County to the list of counties that
4 exempt agricultural buildings engaged in agritourism from a certain permit
5 requirement; providing for the number of people allowed to occupy a building
6 engaged in agritourism in Cecil County and Garrett County under certain
7 circumstances; and generally relating to a permit exemption for certain buildings
8 engaged in agritourism.

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 12–508
12 Annotated Code of Maryland
13 (2011 Replacement Volume and 2016 Supplement)

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.

Italics indicate opposite chamber/conference committee amendments.



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

Article – Public Safety

12–508.

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

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

(b) This section applies only to Calvert County, **CECIL COUNTY**, Charles County, Dorchester County, Frederick County, **GARRETT COUNTY**, Harford County, Prince George’s County, St. Mary’s County, Somerset County, and Talbot County.

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

(d) An existing agricultural building used for agritourism is not considered a change of occupancy that requires a building permit if the subordinate use of agritourism:

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

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

(3) **EXCEPT AS PROVIDED IN SUBSECTION (E)**, does not require more than 50 people to occupy an individual building at any one time.

(e) **IN CECIL COUNTY AND GARRETT COUNTY, AN EXISTING AGRICULTURAL BUILDING USED FOR AGRITOURISM IS NOT CONSIDERED A CHANGE OF OCCUPANCY THAT REQUIRES A BUILDING PERMIT IF:**

(1) THE SUBORDINATE USE OF AGRITOURISM DOES NOT REQUIRE MORE THAN 200 PEOPLE TO OCCUPY AN INDIVIDUAL BUILDING AT ANY ONE TIME; AND

(2) THE TOTAL WIDTH OF MEANS OF EGRESS MEETS OR EXCEEDS THE INTERNATIONAL BUILDING CODE STANDARD OF 0.2 INCHES OF EGRESS WIDTH PER OCCUPANT THAT APPLIES TO EGRESS COMPONENTS OTHER THAN STAIRWAYS IN A BUILDING WITHOUT A SPRINKLER SYSTEM.

(F) An agricultural building used for agritourism:

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

2 (2) need not comply with:

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

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

7 **[(f)] (G)** The Department shall adopt regulations to implement this section.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2017.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.