

# FINAL

## COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 13

Bill No. 63-23

Introduced by Mr. Smith, Chair  
(by request of the County Executive)

By the County Council, July 3, 2023

---

Introduced and first read on July 3, 2023  
Public Hearing set for and held on September 5, 2023  
Bill Expires October 6, 2023

By Order: Laura Corby, Administrative Officer

---

### A BILL ENTITLED

1 AN ORDINANCE concerning: Construction and Property Maintenance Code Supplement  
2 – Building Permit Exemptions – Agricultural Buildings  
3

4 FOR the purpose of adding and modifying certain buildings exempt from certain permits  
5 under the Construction Code; adding and modifying certain non-agricultural buildings  
6 under the Construction Code; and generally relating to the construction and property  
7 maintenance code supplements.  
8

9 BY repealing and reenacting, with amendments: Construction Code, Chapter 1, §§  
10 105.2.1.14; 105.2.1.14.2; 105.2.1.14.3; and 105.2.1.14.6  
11 Anne Arundel County Construction and Property Maintenance Codes Supplement,  
12 October 1, 2005 (as amended)  
13

14 BY adding: Construction Code, Chapter 1, § 105.2.1.14.7  
15 Anne Arundel County Construction and Property Maintenance Codes Supplement,  
16 October 1, 2005 (as amended)  
17

18 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
19 That the Anne Arundel County Construction and Property Maintenance Codes  
20 Supplement, October 1, 2005 (as amended) read as follows:  
21

22 **ANNE ARUNDEL COUNTY**  
23 **CONSTRUCTION AND PROPERTY MAINTENANCE CODES SUPPLEMENT**  
24 **October 1, 2005**

---

EXPLANATION: CAPITALS indicate new matter added to existing law.  
[[Brackets]] indicate matter deleted from existing law.  
Captions and taglines in **bold** in this bill are catchwords and are not law.  
Asterisks \*\*\* indicate existing Code provisions in a list or chart that remain unchanged.

**CONSTRUCTION CODE**

**Chapter 1**

**Construction Code Administrative Provisions**

**Section 105**

**Permits**

**105.2 Work exempt from permit.** Exemptions from permit requirements of the Construction Code may not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of the Construction Code or any other laws or ordinances of this County. Permits shall not be required for the following:

**105.2.1 Building:**

**105.2.1.14** Agricultural buildings, specifically livestock shelters, livestock buildings, shade structures, milking barns, STRUCTURES FOR PRIMARY AGRICULTURAL AND VALUE-ADDED PROCESSING, poultry shelters, barns, buildings and structures used for storage of farm equipment and machinery, horticultural structures, detached production greenhouses, crop protection shelters, sheds, grain silos, riding arenas [[not open to the general public]], stables, and buildings or structures for farm [[wineries on farms of at least 20 acres with State-approved Farm Management Plans where at least 75% of the grapes processed into wine are grown on the farm]] ALCOHOL PRODUCTION FACILITIES. The following are not agricultural buildings for the purpose of this Code:

\*\*\*

**105.2.1.14.2** Buildings or shelters on property not covered by a [[current active soil and water management plan]] SOIL CONSERVATION AND WATER QUALITY PLAN approved by the Anne Arundel Soil Conservation District.

**105.2.1.14.3** Buildings open to the general public for commercial, recreational, or other use[[;]], unless ONLY OPEN TO THE GENERAL PUBLIC WITH AN APPROVED ZONING CERTIFICATE OF USE OR A HORSE STABLE LICENSE ISSUED BY THE MARYLAND DEPARTMENT OF AGRICULTURE AND the use by the general public is limited to the ground floor level and a maximum of 50 occupants at any one time, or, WITH APPROVAL BY the Fire Marshal [[has inspected the building for compliance with the State Fire Prevention Code before it is occupied by the general public.]]AND COMPLIANCE WITH AN ANNUAL FIRE INSPECTION, A MAXIMUM OF 200 PEOPLE.

\*\*\*

**105.2.1.14.6** Buildings not located on properties OF FIVE ACRES OR MORE zoned RA – Rural Agricultural Districts or RLD – Residential Low Density, or not currently assessed as agricultural by the Maryland State Department of Assessments and Taxation.

**105.2.1.14.7** BUILDINGS LOCATED ON PROPERTIES WITHOUT ACTIVE FARMING, SUCH AS CROP PRODUCTION FIELDS, VEGETABLE PRODUCTION, OR A FENCED PASTURE FOR LIVESTOCK OR EQUINE OPERATION.

1 SECTION 2. *And be it further enacted*, That this Ordinance shall take effect 45 days  
2 from the date it becomes law.

READ AND PASSED this 5<sup>th</sup> day of September, 2023

By Order:



Laura Corby  
Administrative Officer

PRESENTED to the County Executive for his approval this 7<sup>th</sup> day of September, 2023



Laura Corby  
Administrative Officer

APPROVED AND ENACTED this 12<sup>th</sup> day of September, 2023



Steuart Pittman  
County Executive

EFFECTIVE DATE: October 27, 2023

Bill No. 63-23

Page No. 4

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF  
BILL NO. 63-23 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES  
OF THE COUNTY COUNCIL.

A handwritten signature in black ink, appearing to read "Laura Corby". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Laura Corby  
Administrative Officer