

Bill No. 7-26
Concerning: Buildings – Scope and
Applicability – Exemptions – Buildings
or Structures used exclusively for
Agricultural Purposes – Amendments
Revised: 3/25/2026 Draft No. 3
Introduced: February 10, 2026
Enacted: April 7, 2026
Executive: _____
Effective: _____
Sunset Date: _____
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsors: Council President Fani-González, Council Vice President Balcombe, and
Councilmember Luedtke
Co-Sponsors: Councilmembers Sayles, Katz, and Evans

AN ACT to:

- (1) clarify the agricultural purposes exemption to building permitting requirements; and
- (2) generally amend the law regarding buildings.

By amending

Montgomery County Code
Chapter 8, Buildings
Sections 8-1 and 8-2

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Sections 8-1 and 8-2 are amended as follows:

Sec. 8-1. Scope and applicability.

* * *

(c) *Applicability generally.*

(1) This Chapter applies to the construction, raising, lowering, moving, demolition, or occupancy of all buildings and structures and their appurtenant construction, including vaults, area and street projections, on-site access facilities, accessory structures, and additions. It applies to public and private buildings, except where such buildings are otherwise specifically excluded by statute. It also applies to the creation or alteration of any ownership unit, and the closure of any private road.

* * *

(d) *Exemptions.* All buildings or structures must be constructed, extended, repaired, removed, or altered under a permit that satisfies this Chapter, except for:

* * *

(2) a building or structure used exclusively for agricultural purposes on land used exclusively for agriculture; however, a permit under this Chapter is required for:

(A) [a building or structure used for a purpose that is not exclusively agricultural, including conditional uses, even though located on otherwise agricultural land] a building or structure in which customers or other members of the public consume food or beverage, unless exempted under Maryland Code § 12-508 of the Public Safety Article, as amended; and

28 (B) an equestrian facility, building, or structure intended for use
29 by participants or spectators at an equestrian event;

30 * * *

31 **Sec. 8-2. Definitions.**

32 In this Chapter, the following words and phrases have the following meanings:
33 Agricultural Purpose. A use or function in performance of the work or storage
34 of the instruments or products of agriculture, as defined in Section 1.4.2 of
35 Chapter 59. Agricultural purpose includes the business, administration, or
36 management of agriculture and the processing of an agricultural product to
37 prepare the product for market.

38 * * *

Approved:



April 7, 2026

Natali Fani-González, President, County Council

Date

Approved:

Marc Elrich, County Executive

Date

This is a correct copy of Council action.

Sara R. Tenenbaum, Clerk of the Council