

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: April 16, 2026  
Effective: July 16, 2026  
Sunset Date: \_\_\_\_\_  
Ch. 11, Laws of Mont. Co. 2026

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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

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**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

<b>Boldface</b>	<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

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Natali Fani-González, President, County Council

Date

Approved:



April 16, 2026

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Marc Elrich, County Executive

Date

*This is a correct copy of Council action.*



April 16, 2026

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Sara R. Tenenbaum, Clerk of the Council

Date