

# Climate Assessment

Office of Legislative Oversight

## **BILL 7-26: BUILDINGS – SCOPE AND APPLICABILITY – EXEMPTIONS – BUILDINGS OR STRUCTURES USED EXCLUSIVELY FOR AGRICULTURAL PURPOSES - AMENDMENTS**

### **SUMMARY**

The Office of Legislative Oversight (OLO) anticipates Bill 7-26 will have no impact on the County’s contribution to addressing climate change as it proposes an updated definition of an existing building permit exemption in the County Code.

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### **BACKGROUND AND PURPOSE OF BILL 7-26**

Under the current County Code, there is an exemption to building permitting requirements for “a building or structure used exclusively for agricultural purposes on land used exclusively on agriculture.”<sup>1</sup> Agricultural purposes are not defined in Chapter 8 of the County Code and the exemption has been interpreted narrowly in practice. Currently, the exemption is not applied to structures where agricultural business operations are performed or processed for market.<sup>2</sup>

According to the lead sponsors, the purpose of Bill 7-26 is to “allow Montgomery County agricultural operators to run their businesses with less interference from inconsistent and unnecessary regulations.” If enacted, Bill 7-26 would:

- Define agricultural purpose in Chapter 8 to include “the business, administration, or management of agriculture and the processing of an agricultural product to prepare the product for market.” which aligns with definitions of agriculture set in other sections of the County Code;<sup>3,4</sup>
- Clarify the exemption does not extend to buildings or structures where customers consume food or beverages, such as a brewery; and
- Delete confusing language regarding the exemption in Chapter 8, which would have no legal effect.<sup>5</sup>

Bill 7-26, Buildings – Scope and Applicability – Exemptions – Buildings or Structures Used Exclusively for Agricultural Purposes – Amendments was introduced by the County Council on February 10, 2026.

## ANTICIPATED IMPACTS

As the Bill proposes an updated definition of an existing building permit exemption in the County Code, OLO anticipates Bill 7-26 will have no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

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## RECOMMENDED AMENDMENTS

The Climate Assessment Act requires OLO to offer recommendations, such as amendments or other measures to mitigate any anticipated negative climate impacts.<sup>6</sup> OLO does not offer recommendations or amendments as Bill 7-26 is likely to have no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

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## CAVEATS

OLO notes two caveats to this climate assessment. First, predicting the impacts of legislation upon climate change is a challenging analytical endeavor due to data limitations, uncertainty, and the broad, global nature of climate change. Second, the analysis performed here is intended to inform the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

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## PURPOSE OF CLIMATE ASSESSMENTS

The purpose of the Climate Assessments is to evaluate the anticipated impact of legislation on the County's contribution to addressing climate change. These climate assessments will provide the Council with a more thorough understanding of the potential climate impacts and implications of proposed legislation, at the County level. The scope of the Climate Assessments is limited to the County's contribution to addressing climate change, specifically upon the County's contribution to greenhouse gas emissions and how actions suggested by legislation could help improve the County's adaptative capacity to climate change, and therefore, increase community resilience.

While co-benefits such as health and cost savings may be discussed, the focus is on how proposed County bills may impact GHG emissions and community resilience.

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## CONTRIBUTIONS

OLO staffer Kaitlyn Simmons drafted this assessment.

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<sup>1</sup> [Montgomery County Code, COMCOR 08.14.01 Schedule of Fees for Permits, Licenses and Certifications, Accessed 2/13/2026.](#)

<sup>2</sup> [Staff Introduction Report for Bill 7-26, Montgomery County Council, Introduced February 10, 2026.](#)

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<sup>3</sup> See Chapters [2B](#) and [59](#) of County Code

<sup>4</sup> [Staff Introduction Report for Bill 7-26, Montgomery County Council, Introduced February 10, 2026.](#)

<sup>5</sup> [Ibid.](#)

<sup>6</sup> Bill 3-22, Legislative Branch – Climate Assessments – Required, Montgomery County Council, Effective date October 24, 2022