

COUNTY COMMISSIONERS OF CAROLINE COUNTY, MARYLAND

LEGISLATIVE BILL #2025-010

INTRODUCED BY: COMMISSIONERS BREEDING, PORTER, AND BARTZ

INTRODUCED ON: SEPTEMBER 23, 2025

ATTEST:



J. TRAVIS BREEDING, PRESIDENT

PUBLIC HEARING: OCTOBER 7, 2025, BEGINNING AT 9:15 A.M.
COURTHOUSE, 109 MARKET STREET,
ROOM 106
DENTON, MARYLAND 21629

THIRD READING: OCTOBER 14, 2025

ENACTED: OCTOBER 14, 2025

EFFECTIVE: NOVEMBER 29, 2025

CHAPTER 149 RIGHT TO FARM

AN ACT TO AMEND SUBSECTION B OF SECTION 149-4 (“CREATION OF CAROLINE COUNTY AGRICULTURAL RECONCILIATION COMMITTEE”) TO MODIFY THE COMPOSITION OF THE COMMITTEE

AN ACT for the purpose of repealing Subsection B of § 149-4 (“Creation of Caroline County Agricultural Reconciliation Committee”) of Chapter 149 (“Right to Farm”) of the Code of Public Local Laws of Caroline County, Maryland and reenacting the same with amendments to modify the required composition of the Committee by deleting the requirements that: two members be from the agricultural community; at least one member be from a municipality; at least one member be from the Caroline County Board of Realtors; and one other member from the community not actively engaged in agriculture, and adding the requirement that all members must be residents and citizens of Caroline County; and providing that this title

be deemed a fair summary of this public local law for all purposes.

WHEREAS, the County Commissioners of Caroline County, Maryland (the "County Commissioners") are authorized under Article XI-F of the Maryland Constitution and §9-308 of the Local Government Article of the Annotated Code of Maryland (the "Local Government Article") to adopt public local laws in general; and

WHEREAS, the Caroline County Agricultural Reconciliation Committee (the Committee") was established pursuant to Maryland's Right to Farm law, codified at Md. Code Ann., Cts. & Jud. Proc. (1974, 2020 Repl. Vol.) § 5-403 ("Nuisance suits against agricultural operations"), §§(e)(2), with the consequence that a person may not bring a nuisance action in any court against an agricultural or a commercial fishing or seafood operation in Caroline County until (1) the person has filed a complaint with the Committee; and (2) the Committee has made a decision or recommendation on the complaint; and

WHEREAS, the County Commissioners find and declare that the residents of Caroline County will be better served by modifying the current restrictions for eligibility to serve on to the Caroline County Agricultural Reconciliation Committee; and

WHEREAS, this Bill may also be known by its short title "Modification of the Composition of the Caroline County Agricultural Reconciliation Committee".

NOW, THEREFORE, IN AN EXERCISE OF THE COUNTY'S POLICE POWER AS A CODE HOME RULE COUNTY, BE IT ENACTED BY THE COUNTY COMMISSIONERS OF CAROLINE COUNTY, MARYLAND, IN LEGISLATIVE SESSION, THAT:

SECTION 1. SUBSECTION B OF SECTION 149-4, CREATION OF CAROLINE COUNTY AGRICULTURAL RECONCILIATION COMMITTEE, of the Code of Public Local Laws of Caroline County, Maryland be, and it is hereby **REPEALED**.

SECTION 2. A NEW SUBSECTION B OF SECTION 149-4 is hereby enacted in lieu thereof, to read as follows:

B. (1) The Agricultural Reconciliation Committee shall be composed of five (5) citizens appointed by the County Commissioners, including a Chair, who shall be selected by the County Commissioners. All members of the Committee shall have

been residents of Caroline County for at least three (3) years prior to appointment, and shall: (1) possess an outstanding reputation for civic pride, integrity, responsibility; and (2) have demonstrated qualifications in agriculture, business, or a professional field.

(2) A representative of the University of Maryland Cooperative Extension Service and a member of the Caroline County Soil Conservation District may be appointed by the County Commissioners, in their discretion, to serve as ex officio, non-voting members of the Committee. In any dispute, if requested by the Committee, or if in their own respective opinions their participation is helpful, they may present facts and information to the Committee and make recommendations. Their recommendations shall be considered by the Committee.

(3) Staff of the Department of Planning and Codes shall prepare staff reports and maintain minutes of each meeting of the Committee.

SECTION 3. The Recitals to this Bill are incorporated herein and deemed to be a substantive part of this Bill.

SECTION 4. The provisions of this Bill are declared to be severable. If any section, subsection, sentence, clause, phrase, or portion of this Bill is for any reason held invalid or unconstitutional by any court of competent jurisdiction, the same shall be deemed separate, distinct, and independent from, and such holding shall not affect the validity of, the remaining portions of this Bill, it being the intent of the County that this Bill shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

SECTION 5. The Publishers of the Code of Public Local Laws of Caroline County, Maryland (the "Code"), the Caroline County Office of Law, or the Caroline County Department of Planning and Codes, in consultation with and subject to the approval of the County Administrator, shall be authorized to make non-substantive corrections to codification, style, capitalization, punctuation, grammar, spelling, organization, and any internal or external reference or citations to the County Code or the State Code that is incorrect or obsolete, with no further action required by the County Commissioners. All such corrections shall be adequately referenced and described in the editor's note following the section affected.


SECTION 6. The title and summary of this Bill shall be published in at least one newspaper of general circulation in Caroline County three times, at weekly intervals, and within the 4-week period after passage of the Bill, in accordance with §9-311 (i) of the Local Government Article of the Annotated Code of Maryland. The title of this Bill, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Bill for publication and all other purposes. The title is not a substantive part of

this Bill for publication and all other purposes. If the Bill is amended, the title may be administratively revised to conform to the content of the Bill as finally enacted. **SECTION 7. AND BE IT FURTHER ENACTED**, that when this ordinance takes effect, it shall be retroactive and applicable, to the maximum extent permitted by law and subject to the severability clause above, to proceedings throughout the County.

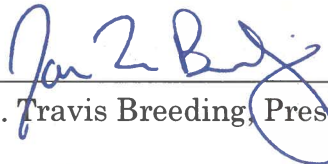
ENACTED THIS 14th DAY OF OCTOBER, 2025.

ATTEST:

**COUNTY COMMISSIONERS OF
CAROLINE COUNTY, MARYLAND**



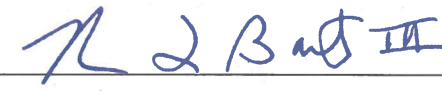
Jennifer F. Reibly
Public Information Officer



J. Travis Breeding, President




Larry C. Porter, Vice-President



N. Franklin Bartz III, Member



**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**



Stewart Barroll
County Attorney