

if his water supply is polluted by the said earth pit, cesspool or other receptacle or contrivance. If, upon such investigation, such private water supply shall be found to be polluted by said cesspool, earth pit, or other receptacle or contrivance, the Board of Health, the County Health Officer, SANITARIAN or his representative, shall order, in accordance with the procedures for notice and hearing in Section 12.211 of this subtitle, the use of such cesspool, earth pit or other receptacle or contrivance discontinued.

12.209—Nuisances—Injunction Against

Nothing in this subtitle shall be construed as limiting or qualifying the right of the said Board of Health, or County Health Officer, SANITARIAN or his representative, to maintain proceedings in equity to enjoin the commission, maintenance or continuance of nuisances of any kind affecting health.

12.210—Effect of Public General Laws

Nothing in provisions of this subtitle relating to the preservation of the public health in Howard County shall be taken as in any wise repealing or as in substitution for any provisions of the Public General Laws relating to health, except and only insofar as any of the foregoing sections are inconsistent therewith.

12.211—Remedies of the Health Officer and His Representative

In carrying out the provisions of this subtitle, if the County Health Officer, SANITARIAN or his representative, is refused the right of entry to any premises upon which he has probable cause or reason to believe that violations of this subtitle exist, he may apply to any judge of the People's Court for Howard County or the Circuit Court for Howard County for a warrant to search and investigate the specific conditions which may endanger the public health, safety or welfare. In the event an unhealthy nuisance or other condition dangerous to health is found to exist the said County Health Officer, SANITARIAN or his representative, shall cause to be served a notice in writing to the person, firm or corporation by whose act, default, or sufferance, the unhealthy nuisance or other condition dangerous to health exists requiring the person, firm or corporation to abate said nuisance within a reasonable time which shall be not less than ten (10) days nor more than thirty (30) days from the date of notice, or to apply to the Executive Secretary of the Board of Health for a hearing within ten (10) days from the date of the notice. The Executive Secretary shall promptly schedule a hearing which shall be held not more than thirty (30) days after the application for hearing is filed. Any person, firm or corporation refusing or neglecting to comply with the requirements in any notice of the County Health Officer, SANITARIAN or his representative, issued under the provisions of this subtitle, or subsequently failing to comply with a directive of the Board of Health after hearing, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than Five Dollars (\$5.00) nor more than One Hundred Dollars (\$100.00) or be imprisoned, in the discretion of the Court for not more than thirty (30) days; except as other penalties for specific offenses may have been set forth in other provisions of this subtitle. Upon refusal or neglect by the person to whom such notice is given to either comply with the notice or to request a hearing before the Board of Health or to comply with a directive after hearing of the Board of Health thereon, the County Health Officer, SANITARIAN or his representative, may serve upon such person a summons