

Code of Maryland (1957 Edition), title "Health", sub-title "Water, Ice and Sewerage", to follow immediately after Section 396 thereof, relating to minimum health requirements for lots and plats of subdivisions in Calvert County, and providing for procedure to appeal refusal to approve plats of subdivisions in the county.

SECTION 1. *Be it enacted by the General Assembly of Maryland, That new Section 396A be and it is hereby added to Article 43 of the Annotated Code of Maryland (1957 Edition), title "Health", sub-title "Water, Ice and Sewerage", to follow immediately after Section 396 thereof, to read as follows:*

*396A. (a) Anything in this Article or in any regulations of the State Board of Health to the contrary notwithstanding, a lot in any platted subdivision of land in Calvert County shall be deemed prima facie to satisfy such law or regulations if said lot contains a minimum of fifteen thousand (15,000) square feet meeting the minimum percolation test requirements. The plat shall be approved unless good cause to the contrary is shown by the approving authority.*

*(b) In Calvert County topography on a subdivision plat shall be shown on five foot contours, provided, however, that if ground slope is sufficiently steep to indicate existing surface configuration on larger contours the approving authority may permit use of a larger contour interval.*

*(c) (1) In Calvert County, if the approving authority shall refuse approval of the site, the preliminary plat, or the final plat, it shall indicate in writing such refusal to the person submitting the plat, setting forth the specific grounds for the refusal and such person shall have the right to appeal the decision of the approving authority to the County Commissioners acting as the local board of health.*

*(2) Such appeal shall be commenced by filing with the president of the local board of health a copy of the letter of refusal and any pertinent plat, drawing or other information with a request that the local board review the decision of the approving authority. Upon receipt of such appeal the president of the local board shall call a meeting of said board for the purpose of hearing the appeal within fifteen days. At this hearing the Board shall receive evidence on the merits of the action to be taken and shall make an independent determination of whether or not the approval sought shall be granted. The board shall render a decision in writing within five days from the date of such hearing and shall furnish a copy thereof to all parties in interest. If the Board grants the approval sought such action shall thereafter be binding on the initial approving authority and in such case the State Board of Health may, within thirty (30) days of the date of the decision of the local board, appeal to the Circuit Court as provided in Subsection 3 below and the case may be heard and tried as provided in Subsection 3 below. If the action sought is the approval of a plat for record and the Board approves same a majority of the members thereof shall endorse said plat and it shall thereupon be eligible for recordation without further action by the initial approving authority.*

*(3) If the local board shall deny the approval sought the person seeking such approval may within thirty (30) days from the date of the decision of the local board appeal to the Circuit Court for Calvert County. Such appeal shall be commenced by docketing a petition*