

the Code. If the Department DEPARTMENT exercises the option provided by paragraphs (2), (3), or (4), it may not issue an order requiring corrective action to be taken as a result of the alleged violation before expiration of the time set for filing any report and holding any hearing required under these paragraphs. Thereafter, the Department DEPARTMENT may issue an order requiring necessary corrective action be taken within the time prescribed in the order. A person is not entitled to a hearing before the Department DEPARTMENT as a result of this order. Notice of a hearing or of a requirement that a written report be filed shall be served on the alleged violator in accordance with the provisions of subsection (c) not less than ten days before the time set for the hearing or filing of a report. Every order [the] EITHER Department DEPARTMENT [of Health and Mental Hygiene] issues under the provisions of this section shall be served on the person affected in accordance with the provisions of subsection (c). The order shall become effective immediately according to its terms upon service.

(b) A person aggrieved by an order or permit issued does not have the right to appeal to the board of review of the Department of Health and Mental Hygiene OR THE DEPARTMENT OF NATURAL RESOURCES, but may obtain immediate judicial review under the provisions of Article 41, §§ 255 and 256 and the Maryland Rules of Procedure.

(c) Except as otherwise provided, any notice, order, or other instrument issued by or under authority of the Department of Health and Mental Hygiene OR THE DEPARTMENT OF NATURAL RESOURCES may be served personally or by publication on any person affected. Service may be made by mailing a copy of the notice, order, or other instrument by certified or registered mail to the person affected at his last known post-office address as shown by the Department's DEPARTMENT'S files or records. Proof of service may be made by the sworn statement or affidavit of the person who mailed the notice, order, or other instrument. The sworn statement or affidavit shall be filed with the APPROPRIATE Department DEPARTMENT [of Health and Mental Hygiene].

(d) A verbatim record of the proceedings of hearings may be taken when necessary or advisable by the APPROPRIATE Department DEPARTMENT [of Health and Mental Hygiene]. A subpoenaed witness shall receive the same fees and mileage as in any civil action. If a witness refuses to obey a notice of hearing or subpoena issued under this section, any circuit court, upon the application of the APPROPRIATE Department DEPARTMENT [of Health and Mental Hygiene], may issue an order requiring the person to appear, testify, or produce evidence as required. The failure to obey a court order may be punished by the court as contempt.

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If a violation of any provision of this subtitle has occurred and the existence of the violation has been finally