

(I) COVERS THE SAME SUBJECT MATTER;

(II) IS AT LEAST AS RESTRICTIVE AS THE PROVISION THAT THE COUNTY BOARD IS REQUIRED TO ENFORCE; AND

(III) INCLUDES PROVISIONS FOR ENFORCEMENT.

(B) DUTIES.

IN ADDITION TO THE OTHER DUTIES PROVIDED BY LAW, EACH COUNTY BOARD OF HEALTH SHALL:

(1) MEET IN MAY AND OCTOBER OF EACH YEAR AND AT ANY OTHER TIME THE BOARD CONSIDERS NECESSARY;

(2) COORDINATE ITS ACTIVITIES WITH THE DEPARTMENT; AND

(3) REPORT TO THE DEPARTMENT ON THE SANITARY CONDITIONS OF THE COUNTY WHENEVER THE BOARD CONSIDERS IT IMPORTANT AND NECESSARY TO DO SO.

(C) FEES AND CHARGES SUBJECT TO SECRETARY.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, EACH COUNTY BOARD OF HEALTH MAY SET ANY FEE OR CHARGE IN CONNECTION WITH ITS RULES AND REGULATIONS.

(2) A FEE OR CHARGE FOR A SERVICE THAT IS PROVIDED WHOLLY OR PARTLY WITH STATE OR FEDERAL FUNDS THAT THE DEPARTMENT ADMINISTERS IS SUBJECT TO APPROVAL AND MODIFICATION BY THE SECRETARY.

(D) NUISANCES; DISEASE.

IN ADDITION TO THE OTHER POWERS PROVIDED BY LAW AND SUBJECT TO THE PROVISIONS OF THIS ARTICLE, EACH COUNTY BOARD OF HEALTH MAY ADOPT AND ENFORCE RULES AND REGULATIONS ON ANY NUISANCE OR CAUSE OF DISEASE IN THE COUNTY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 48 and the second and third clauses of § 45.

In subsection (a)(1) of this section, the phrase "imposed by law" is substituted for the reference to "as provided in this article" to reflect that there are other provisions of law that relate to county boards of health and to cover certain provisions of Article 43 that are revised in the Health - Environmental Article.