

EACH SOUND LEVEL LIMIT SHALL BE APPLIED AT THE BOUNDARY OF:

- (1) A PROPERTY; OR
- (2) A LAND USE CATEGORY, AS DETERMINED BY THE DEPARTMENT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 828(d) and the second sentence of (b)(1).

3-404. CORRECTIVE ORDERS.

IF THE DEPARTMENT DETERMINES THAT THERE IS A VIOLATION OF THIS TITLE OR ANY SOUND LEVEL LIMIT OR NOISE CONTROL RULE OR REGULATION ADOPTED UNDER THIS TITLE, THE DEPARTMENT, AFTER NOTICE TO THE ALLEGED VIOLATOR, MAY ISSUE A CORRECTIVE ORDER.

REVISOR'S NOTE: This section is new language derived from the reference to Departmental enforcement of sound level limits and noise control rules and regulations in former Article 43, § 828(d) and the references to an "order" in § 830(a), (b), and (c).

3-405. INJUNCTIVE ACTIONS.

- (A) IN GENERAL.

THE DEPARTMENT MAY BRING AN ACTION TO ENJOIN ANY CONDUCT THAT IS A WILLFUL VIOLATION OF ANY PROVISION OF THIS TITLE OR ANY RULE, REGULATION, OR ORDER ADOPTED OR ISSUED UNDER THIS TITLE.

- (B) PRIOR NOTICE REQUIRED.

AN ACTION MAY NOT BE BROUGHT UNDER THIS SECTION UNLESS THE PERSON AGAINST WHOM IT IS BROUGHT HAS BEEN GIVEN A REASONABLE TIME TO COMPLY WITH THE PROVISION THAT IS THE BASIS OF THE ACTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 830(a).

In subsection (b) of this section, the reasonable time for compliance requirement is extended to all alleged violations under subsection (a) of this section. Literally, the second sentence of former Article 43, § 830(a) required a reasonable time for compliance with rules and regulations, but was silent as to violations of the precursor