

THE SECRETARY MAY ADOPT RULES AND REGULATIONS TO GOVERN THE CHARACTER AND LOCATION OF:

- (1) PLUMBING;
- (2) DRAINAGE;
- (3) WATER SUPPLY;
- (4) OFFENSIVE TRADES; AND
- (5) DISPOSAL OF ANY WASTE MATERIAL, INCLUDING SEWAGE OR GARBAGE.

(B) SANITARY CONDITION.

THE SECRETARY MAY ADOPT RULES AND REGULATIONS TO GOVERN THE SANITARY CONDITION OF:

- (1) STREETS;
- (2) CESSPOOLS;
- (3) OUTHouses; AND
- (4) ANY SANITARY FEATURE CONNECTED WITH ANY OF THESE.

REVISOR'S NOTE: This section is new language patterned after the entire second clause and the third clause -- except as that clause relates to railroad locomotives -- of the second sentence of Article 43, § 2.

Throughout this section, the requirement that rules and regulations be consistent with law is omitted as implicit.

In subsection (b) of this section, the word "alleys" is omitted as included in "streets".

#### 10-104. RIGHT OF ENTRY; INSPECTIONS.

THE SECRETARY MAY ENTER ON AND INSPECT ANY PRIVATE PROPERTY TO DETERMINE WHETHER A NUISANCE EXISTS.

REVISOR'S NOTE: This section is new language patterned after the first clause of the second sentence of Article 43, § 2.

For a discussion of the constitutional issues related to warrantless searches of private houses and business premises and to the issuance of administrative search warrants, see the General