

IF THE HEALTH OFFICER FINDS THAT THE CONDITION OF THE PLACE OR THING INVESTIGATED MAY INJURE THE LIFE OR HEALTH OF ANY PERSON, THE PLACE OR THING IS IN A STATE OF NUISANCE AND THE HEALTH OFFICER SHALL SERVE A WRITTEN NOTICE TO THE PERSON WHO IS CAUSING THE NUISANCE, ORDERING THE PERSON TO ABATE THE NUISANCE WITHIN A TIME SPECIFIED IN THE NOTICE.

(D) PROHIBITION.

A PERSON MAY NOT REFUSE OR NEGLECT TO COMPLY WITH THE REQUIREMENTS OF A NOTICE SERVED UNDER THIS SECTION.

(E) SECRETARY TO DECIDE QUESTIONS.

IF A QUESTION ARISES BETWEEN HEALTH OFFICERS AS TO THE JURISDICTION OR DUTIES OF A HEALTH OFFICER IN THE ABATEMENT OF ANY UNHEALTHY NUISANCE, THE QUESTION SHALL BE REFERRED TO THE SECRETARY, WHO SHALL SETTLE THE QUESTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, §§ 49 and 50, except the penalty provisions of those sections, and § 51E(a) and (h), as that subsection related to schools, places of business, and places of employment.

In this section and throughout this title, "health officer" is substituted for "local board of health", in conformity to apparent legislative intent, for clarity.

In subsection (a) of this section, "investigate" is substituted for "take cognizance of" for clarity.

In subsection (a)(1) of this section, "condition that is dangerous to human health" is substituted for "unhealthy nuisances" for clarity and to conform to other sections of this title.

In subsection (b)(1) of this section, "outhouse" is substituted for the archaic term "privy pit".

In subsection (c) of this section, the word "causing" is substituted for the phrase "act, default or sufferance", for simplicity and clarity.

10-202. INVESTIGATION AND NOTICE BY SECRETARY.

(A) INVESTIGATION.

ON THE WRITTEN COMPLAINT OF 2 PHYSICIANS OR OF AT LEAST 3 PERSONS WHO CLAIM TO BE AFFECTED BY THE CONDITION, THE SECRETARY SHALL INVESTIGATE ANY COMPLAINT THAT ANY OF THE