

General Revisor's Note to this article.

SUBTITLE 3. PROHIBITED ACTS; PENALTIES.

10-301. FAILURE TO OBEY ABATEMENT NOTICE FROM HEALTH OFFICER.

A PERSON WHO REFUSES OR NEGLECTS TO COMPLY WITH THE REQUIREMENTS OF A NOTICE SERVED UNDER § 10-201 OF THIS TITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$50.

REVISOR'S NOTE: This section is new language derived without substantive change from the penalty provisions of the first sentence of former Article 43, § 49 and the penalty provision of § 50.

The reference to a violation being a misdemeanor is new language added for clarity.

Because the substantive provisions of former Article 43, §§ 49 and 50 are combined into a single section in this title, the penalties in those former sections are combined in this section by applying the highest penalty in either section to violations of either. Also, the minimum penalty in former Article 43, § 49 is deleted to conform to the statement of legislative policy contained in Article 27, § 643 of the Code, which sets forth the general rule that, notwithstanding a prescribed minimum penalty, the court nevertheless may impose a lesser penalty of the same character.

10-302. FAILURE TO OBEY JUDICIAL ABATEMENT ORDER.

(A) DUE DILIGENCE.

A PERSON WHO FAILS TO EXERCISE DUE DILIGENCE UNDER A COURT ORDER TO ABATE A CONDITION UNDER § 10-202 OF THIS TITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

(1) A FINE NOT EXCEEDING \$10 FOR EACH DAY THE CONDITION IS NOT ABATED; AND

(2) THE COST OF PROSECUTION.

(B) KNOWING OR WILLFUL VIOLATION.

A PERSON WHO KNOWINGLY OR WILLFULLY ACTS CONTRARY TO A COURT ORDER TO ABATE A CONDITION UNDER § 10-202 OF THIS TITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO: