

SECRETARY ADOPTS UNDER SUBTITLE 1 OF THIS TITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE FOR EACH OFFENSE NOT EXCEEDING THE LESSER OF THE PENALTY PROVIDED BY THE RULE OR REGULATION OR \$100.

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

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

The reference in Article 43, § 2 to the rules and regulations bearing the seal and attestation of the Secretary is omitted as unnecessary.

10-305. NUISANCES IN CECIL AND ALLEGANY COUNTIES.

(A) "NUISANCE" DEFINED.

IN THIS SECTION, "NUISANCE" INCLUDES:

(1) ANY CONDITION THAT IS DANGEROUS TO HEALTH OR SAFETY, SUCH AS AN INADEQUATELY PROTECTED SWIMMING POOL OR DITCH;

(2) ANY CONDITION THAT MAY ADVERSELY AFFECT THE PUBLIC HEALTH, SUCH AS AN UNSANITARY OUTHOUSE, A FOUL PIGPEN, AN IMPROPERLY FUNCTIONING SEWAGE SYSTEM, AN UNKEPT JUNKYARD, AN EXCESSIVE ACCUMULATION OF TRASH OR GARBAGE, DEAD ANIMALS, A CONTAMINATED WATER SUPPLY, AN INADEQUATELY PROTECTED WATER SUPPLY, OR A RAT HARBORAGE;

(3) HOUSEKEEPING IN ANY BUILDING THAT IS SO POOR THAT THE HEALTH OF THE OWNER, OCCUPANTS, EMPLOYEES, OR NEIGHBORS MAY BE ENDANGERED; AND

(4) ANY CONDITION THAT MAY ENDANGER HEALTH THROUGH THE SPREADING OF THE CONDITION BY ANY MEANS, INCLUDING BY STREAMS, SURFACE DRAINAGE, AIR CURRENTS, WINGED LIFE, DOMESTIC ANIMALS, OR HUMAN BEINGS.

(B) PROHIBITION; PENALTY.

IN CECIL OR ALLEGANY COUNTIES, IN ADDITION TO ANY OTHER PENALTY IMPOSED BY THIS SUBTITLE, A PERSON WHO REFUSES OR NEGLECTS TO COMPLY WITH A NOTICE OR ORDER TO ABATE A NUISANCE BY THE SECRETARY, OR BY THE HEALTH OFFICER FOR THE COUNTY WHERE THE NUISANCE EXISTS, IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$100 A DAY FOR EACH DAY THE VIOLATION CONTINUES.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 104A(a) and (b).