

FOR the purpose of prohibiting the Secretary of Health and Mental Hygiene from denying certain property owners the right to install all certain septic waste disposal systems on the property; requiring the Secretary of Health and Mental Hygiene to allow the installation of certain septic waste disposal systems on certain property; and generally relating to alternatives to the denial of installation of certain septic waste disposal systems in this State.

BY repealing and reenacting, with amendments,

Article - Health - Environmental
Section 9-219
Annotated Code of Maryland
(1982 Volume and 1983 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Health - Environmental

9-219.

(a) (1) If a system of water supply or sewerage, serving the public, is directly available to any property on which there is a spring, well, cesspool, privy, sink drain, or private sewage disposal plant that is or may become prejudicial to health, the Secretary may order the property to be connected with the water supply or sewerage system, and the spring, well, cesspool, privy, sink drain, or private sewage disposal plant to be abandoned and left in such a way that it cannot be again used nor become injurious to health.

(2) The Secretary may prevent the construction of any proposed well, cesspool, privy, sink drain, or private sewage disposal plant if the Secretary believes that the proposed construction would be prejudicial to health.

(3) (I) THIS PARAGRAPH DOES NOT APPLY TO NEW CONSTRUCTION OR ADDITIONAL CONSTRUCTION OR RENOVATION TO AN EXISTING DWELLING.

{3} (II) UNDER THE AUTHORITY OF THIS SECTION, FOR AN EXISTING OWNER-OCCUPIED HOUSE OR OTHER OWNER-OCCUPIED DWELLING UNIT THAT IS SITUATED LEGALLY ON A PROPERTY AND MAY BE IS OCCUPIED LEGALLY, THE SECRETARY:

{i} 1. MAY NOT DENY THE OWNER OF A HOUSE OR OTHER DWELLING UNIT THAT IS LEGALLY SITUATED ON PROPERTY THE RIGHT TO INSTALL A SEPTIC OR SEWERAGE SYSTEM ON THE PROPERTY A WASTE DISPOSAL SYSTEM ON THE PROPERTY, INCLUDING A HOLDING TANK OR AN INNOVATIVE ALTERNATIVE WASTE DISPOSAL SYSTEM, BUT