

(c) The Model Performance Code authorized by this section shall not be binding in any subdivision of this State unless said subdivision specifically adopts said Model Code.

(d) The Department [of Economic and Community Development] shall after public hearing, issue rules and regulations to prohibit any jurisdiction in which the Model Code applies to alter or modify said Code without concurrence of the Department [of Economic and Community Development] and shall also provide for an appeal procedure for any party who challenges the interpretation or application of the Model Code. The Department will regularly consult with local officials to review the application and effectiveness of the Code in each jurisdiction and will review recommendations from local officials for changes, modifications or exceptions which would make the Code more effective and useful in a given subdivision, or subdivisions, within the State of Maryland. Concurrence with requests for special Code provisions to meet local conditions will not be unreasonably withheld.

(e) The Department [of Economic and Community Development] shall assume the responsibility to train and certify building code enforcement officials in any jurisdiction where said Model Performance Code is in effect.

[11-402.] 6-102.

(a) (1) The Department [of Economic and Community Development], or an appropriate division of the Department, shall promulgate and adopt a State building code for the purpose of developing rules and regulations for making buildings and facilities accessible and usable by the physically handicapped to the extent feasible.

(2) The rules and regulations shall be developed in conjunction with the Governor's Committee for Employment of the Handicapped, the Maryland Rehabilitation Association, and the Maryland Society of Architects.

(3) (i) In addition to any other penalty for a violation of the State building code for the handicapped, the Secretary [of Economic and Community Development] shall investigate to determine the existence of any violation.

(ii) If the Secretary determines that a violation exists, the Secretary may resolve any issue in the violation by informal methods of mediation and conciliation.

(iii) In addition to the provisions of subparagraph (ii) of this paragraph, the Secretary may institute in any court of competent jurisdiction in the subdivision in which the violation occurred an action for equitable relief which may include enjoining the construction, renovation, or occupancy