

(3) IS CAUSING A NUISANCE.

(B) SAME -- RESULTS REQUIRED IN SPECIFIED TIME.

THE ORDER SHALL REQUIRE THAT THE WATER SUPPLY SYSTEM, SEWERAGE SYSTEM, OR REFUSE DISPOSAL SYSTEM PRODUCE SPECIFIC, REASONABLE RESULTS WITHIN A TIME THAT THE SECRETARY SETS.

(C) ACTION BY SECRETARY IF RESULTS ARE NOT PRODUCED.

(1) IF THE WATER SUPPLY SYSTEM, SEWERAGE SYSTEM, OR REFUSE DISPOSAL SYSTEM DOES NOT PRODUCE THE REQUIRED RESULTS WITHIN THE TIME THAT THE SECRETARY SETS, THE SECRETARY MAY ORDER THE OWNER OR PERSON IN CHARGE TO APPOINT, WITHIN A TIME THAT THE SECRETARY SETS, A PERSON APPROVED BY THE SECRETARY TO TAKE CHARGE OF AND OPERATE THE SYSTEM IN A MANNER THAT WILL SECURE THE RESULTS DEMANDED BY THE SECRETARY.

(2) THE PERSON WHO IS SERVED WITH AN ORDER UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL PAY THE SALARY OF THE PERSON WHO IS APPOINTED IN COMPLIANCE WITH THE ORDER.

REVISOR'S NOTE: This section is new language derived without substantive change from former HE § 9-207.

In subsections (a) and (c)(1) of this section, the former phrases "officer, board, department" are deleted as unnecessary in light of the definition of "person" in § 9-201 of this subtitle.

9-221. ORDER TO ALTER, EXTEND, OR INSTALL WATER SUPPLY SYSTEM, SEWERAGE SYSTEM, OR REFUSE DISPOSAL SYSTEM; POWERS OF HEALTH OFFICER.

(A) ORDER BY DEPARTMENT -- IN GENERAL.

IF, AFTER INVESTIGATION, THE DEPARTMENT DETERMINES THAT ANY WATER SUPPLY SYSTEM, SEWERAGE SYSTEM, OR REFUSE DISPOSAL SYSTEM IS A MENACE TO HEALTH OR COMFORT OR IS CAUSING A NUISANCE, AND THAT CONDITIONS CANNOT BE IMPROVED SUFFICIENTLY ONLY BY CHANGING THE METHOD OF OPERATION, THE DEPARTMENT MAY ORDER THE OWNER:

(1) TO ALTER OR EXTEND THE WATER SUPPLY SYSTEM, SEWERAGE SYSTEM, OR REFUSE DISPOSAL SYSTEM; OR

(2) TO INSTALL A NEW WATER SUPPLY SYSTEM, SEWERAGE SYSTEM, OR REFUSE DISPOSAL SYSTEM.

(B) SAME -- STATING DATE TO COMPLETE WORK.

~~IF THE DEPARTMENT ISSUES AN ORDER UNDER SUBSECTION (A) OF THIS SECTION, THE DEPARTMENT SHALL STATE A REASONABLE DATE FOR COMPLETION OF THE WORK.~~