

(C) POWERS OF HEALTH OFFICER AS TO REFUSE DISPOSAL SYSTEMS.

THE SECRETARY MAY AUTHORIZE A LOCAL HEALTH OFFICER:

(1) TO INVESTIGATE REFUSE DISPOSAL SYSTEMS; AND

(2) TO ENFORCE ANY REGULATION OF THE DEPARTMENT CONCERNING REFUSE DISPOSAL SYSTEMS.

REVISOR'S NOTE: This section is new language derived without substantive change from former HE § 9-208.

In subsection (c)(2) of this section, the phrase "any regulation of the Department" is substituted for the former phrase "State regulations", for clarity in light of the power of the Department to adopt regulations under § 9-252 of this subtitle.

9-222. SECRETARY MAY ORDER INSTALLATION OF PUBLIC WATER SUPPLY SYSTEM, SEWERAGE SYSTEM, OR REFUSE DISPOSAL SYSTEM.

(A) FINDINGS BY SECRETARY THAT JUSTIFY ORDER.

THE SECRETARY MAY ISSUE AN ORDER UNDER SUBSECTION (B) OF THIS SECTION, IF ~~THE SECRETARY FINDS AFTER INVESTIGATION THAT:~~

~~(i)~~ , AFTER INVESTIGATION, THE SECRETARY DETERMINES THAT THE ABSENCE OR INCOMPLETENESS OF A PUBLIC WATER SUPPLY SYSTEM, PUBLIC SEWERAGE SYSTEM, OR PUBLIC REFUSE DISPOSAL SYSTEM IN A COUNTY, MUNICIPAL CORPORATION, SANITARY DISTRICT, SUBDIVISION, OR LOCALITY:

(1) IS SUFFICIENTLY PREJUDICIAL TO THE HEALTH OR COMFORT OF THAT OR ANY OTHER COUNTY, MUNICIPAL CORPORATION, SANITARY DISTRICT, SUBDIVISION, OR LOCALITY; OR

(2) ~~(i)~~ CAUSES A CONDITION BY WHICH ANY OF THE WATERS OF THIS STATE ARE BEING POLLUTED OR COULD BECOME POLLUTED IN A WAY THAT IS DANGEROUS TO HEALTH OR IS A NUISANCE; ~~AND.~~

~~(ii) THE POLLUTION OR POTENTIAL POLLUTION IS CAUSED BY THE ABSENCE OR INCOMPLETENESS OF A PUBLIC WATER SUPPLY SYSTEM, PUBLIC SEWERAGE SYSTEM, OR PUBLIC REFUSE DISPOSAL SYSTEM IN A COUNTY, MUNICIPAL CORPORATION, SANITARY DISTRICT, SUBDIVISION, OR LOCALITY.~~

(B) CONTENTS OF ORDER.

~~AFTER MAKING A FINDING UNDER SUBSECTION (A) OF THIS SECTION, THE SECRETARY MAY ISSUE AN ORDER TO REQUIRE:~~ AN ORDER UNDER THIS SECTION MAY REQUIRE: