

(1) THIS SUBSECTION DOES NOT APPLY TO:

(I) THE CONSTRUCTION OF A NEW DWELLING; OR

(II) ANY ADDITION TO OR RENOVATION OF AN EXISTING DWELLING.

(2) THE SECRETARY SHALL ALLOW THE OWNER OF A DWELLING UNIT TO INSTALL AN ON-SITE SEWAGE DISPOSAL SYSTEM FOR THE DWELLING UNIT IF:

(I) THE DWELLING UNIT IS OWNER-OCCUPIED;

(II) THE DWELLING UNIT IS LEGALLY SITUATED ON A PROPERTY AND LEGALLY OCCUPIED; AND

(III) THE SECRETARY FINDS THAT THE ON-SITE SEWAGE DISPOSAL SYSTEM WOULD BE A REASONABLE SOLUTION TO SEWAGE PROBLEMS ON THE PROPERTY AND WOULD NOT BE AN UNDUE RISK TO THE ENVIRONMENT OR TO PUBLIC HEALTH, SAFETY, OR WELFARE.

(D) PRIVIES; PRIVIES AND SHALLOW WELLS FOR CERTAIN RELIGIOUS GROUPS.

(1) A PERSON MAY NOT BUILD A PRIVY IN THIS STATE UNLESS THE PRIVY WILL, IN THE JUDGMENT OF THE SECRETARY, PREVENT:

(I) THE SOIL FROM COMING IN CONTACT WITH ANY FECAL MATTER; AND

(II) FLIES FROM GAINING ACCESS TO ANY FECAL MATTER.

(2) IF THE SECRETARY FINDS THAT A PERSON HAS BUILT A PRIVY IN VIOLATION OF PARAGRAPH (1) OF THIS SUBSECTION, THE SECRETARY SHALL:

(I) CONDEMN THE PRIVY; AND

(II) ORDER ANY CHANGE NECESSARY SUFFICIENT TO BRING ABOUT COMPLIANCE WITH PARAGRAPH (1) OF THIS SUBSECTION.

(3) THIS SECTION DOES NOT AUTHORIZE THE SECRETARY TO PROHIBIT A BONA FIDE RELIGIOUS GROUP IN ST. MARY'S COUNTY FROM THE FREE EXERCISE OF THEIR RELIGIOUS BELIEFS BY CONSTRUCTING A SHALLOW WELL OR A PRIVY, IF THE WELL OR PRIVY:

(I) IS BUILT IN ACCORDANCE WITH SPECIFIED STANDARDS; AND

(II) IS NOT PREJUDICIAL TO HEALTH OR TO THE ENVIRONMENT.