

Article 7 - Public Local Laws of Maryland
(1976 Edition and 1991 Supplement, as amended)

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

Article 7 - Carroll County

3-18.

(f) The determination by the [local or] County Health Officer that a nuisance or menace to the public health or safety exists by reason of the growth of weeds, accumulation of refuse, an abandoned well, the presence of stagnant water, or the presence of combustible material shall be final and constitute prima facie proof that such nuisance or menace exists. It shall be the duty of the [local or] County Health Officer to investigate all complaints of a nuisance or menace to the public health or safety, as described in this section.

(G) IF FOR ANY REASON THE COUNTY HEALTH OFFICER REFUSES OR FAILS TO INVESTIGATE A COMPLAINT OF NUISANCE DUE TO THE GROWTH OF WEEDS, THE COUNTY ~~SHALL~~ MAY INVESTIGATE THE COMPLAINT AND MAY, ON A DETERMINATION THAT THE VEGETATION IS LAWN OR WEEDS AND IS AT OR EXCEEDS A HEIGHT OF 12 INCHES, DETERMINE THE GROWTH TO BE WEEDS WHICH CONSTITUTE A NUISANCE UNDER THE PROVISIONS OF THIS SECTION.

(H) LANDS THAT ARE ENROLLED IN A STATE OR FEDERAL PROGRAM THAT REMOVES THE LAND FROM CROP PRODUCTION FOR A SPECIFIED PERIOD OF TIME AND THAT HAS CAUSED THE LANDS TO BE ESTABLISHED AND MAINTAINED IN PLANT COVER TO CONSERVE SOIL, IMPROVE WILDLIFE HABITAT, OR SERVE OTHER PUBLIC BENEFIT PURPOSES MAY NOT BE DETERMINED TO HAVE ON THEM THE GROWTH OF WEEDS FOR PURPOSES OF THIS SECTION. THE RESPONSIBILITY FOR UNDESIRABLE PLANT CONTROL OF THESE LANDS SHALL BE THAT OF THE STATE OR FEDERAL AGENCY ADMINISTERING THE APPLICABLE PROGRAM.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1992.

Approved May 12, 1992.