

## CHAPTER 105.

(Senate Bill 211)

AN ACT defining a public nuisance constituting a menace to health within the Town of Gaithersburg, Garrett Park, and/or the Town of Washington Grove and authorizing the Town Council in said Towns to abate said nuisance and compel connection with the water and sewage system within said Towns.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the existence and maintenance of a privy and/or sink drain of any character whatsoever on any property within the corporate limits of the Town of Gaithersburg, Garrett Park, and/or the Town of Washington Grove, at any time after construction or acquisition of any water main or sewer within said town or towns and within one hundred (100) feet from any such water main or sewer shall be and is hereby declared to be a public nuisance constituting a menace to health; or, where there exists a spring, well, cesspool, or private sewage disposal plant which is or may become prejudicial to health, the Town Council of the Town in which said condition exists shall declare the condition to be a public nuisance constituting a menace to health.

(a) If, after ten days notice of an opportunity to be heard by either the owner or occupant of said property before the Town Council of the Town within which the alleged public nuisance constituting a menace to health is said to exist, the Town Council determines that a public nuisance constituting a menace to health does exist, the Town Council shall pass an order requiring the abatement of said nuisance, and may require the connection or connections to the water main and/or sewer in not less than thirty nor more than ninety days, and a refusal or neglect to comply with said order is hereby declared to be a misdemeanor punishable by a fine not exceeding fifty dollars, or imprisonment in the County Jail not exceeding thirty days, or both fine and imprisonment in the discretion of the Court, for each day that such refusal or neglect continues after the date of the issuance of said order.

(b) Upon complaint made in writing by the Town Council of the Town within which said public nuisance exists, or by its Executive Officer, before any Justice of the Peace, charging the commission of an offense against this provision, it shall be the duty of the Attorney of the