

(C) IN ORDER TO AVOID DISCRIMINATION IN HOUSING, AND TO AFFORD A NATURAL, RESIDENTIAL SETTING, THE PRIVATE GROUP HOME SHALL CONCLUSIVELY BE DEEMED A SINGLE FAMILY RESIDENTIAL USE, AS IN THE CASE OF A PUBLIC GROUP HOME. PRIVATE GROUP HOMES SHALL BE PERMITTED IN ALL RESIDENTIAL ZONES, INCLUDING ANY ZONE CLASSIFIED FOR SINGLE FAMILY DWELLINGS OF ANY KIND OR NATURE. PRIVATE GROUP HOMES MAY NOT BE SUBJECT TO A SPECIAL EXCEPTION OR CONDITIONAL USE PERMIT, OR PROCEDURE DIFFERENT FROM THOSE REQUIRED FOR A SINGLE FAMILY DWELLING OF SIMILAR DENSITY IN THE SAME ZONE.

(D) IF A GENERAL ZONING ORDINANCE OR REGULATION OF ANY POLITICAL SUBDIVISION OF THE STATE, OR OF ANY COUNTY, CONTRAVENES THE TERMS AND PROVISIONS OF THIS SECTION, OR ANY SUPPLEMENTING RULE OR REGULATION OF THIS SECTION, THE GENERAL ZONING ORDINANCE OR REGULATION SHALL BE SUPERSEDED TO THE EXTENT OF ANY CONFLICT.

(E) THE PROVISIONS OF THIS SECTION RELATING TO ZONING, APPLY ONLY TO THE PRIVATE GROUP HOME OPERATED BY A NONPROFIT PERSON, ASSOCIATION, CORPORATION, OR OTHER ORGANIZATION, AND NOT TO ANY OPERATION BY ANY PERSON FOR PROFIT AS A BUSINESS.

22.

(b) [In the event the Administration suspends, revokes, or refuses to issue a license, the person aggrieved may appeal to the board of review of the Department of Health and Mental Hygiene and may take such further appeal as is allowed by the Administrative Procedure Act.] ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE DIRECTOR DENYING A CERTIFICATE OF APPROVAL, OR, DENYING, SUSPENDING, REVOKING, OR REFUSING TO RENEW A LICENSE FOR A PRIVATE GROUP HOME, OR BY ANY OTHER FINAL ACTION OF THE DIRECTOR, MAY APPEAL TO THE BOARD OF REVIEW OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE IN ACCORDANCE WITH THE PROVISIONS OF §206B OF ARTICLE 41 OF THIS CODE. ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE BOARD OF REVIEW MAY APPEAL TO THE BALTIMORE CITY COURT OR TO THE CIRCUIT COURT OF THE COUNTY IN WHICH THE PRIVATE FACILITY IS OR WILL BE LOCATED. APPEALS MAY BE TAKEN FROM THESE COURTS TO THE COURT OF SPECIAL APPEALS OF MARYLAND. ALL APPEALS SHALL BE GOVERNED BY THE PROVISIONS OF §§ 255 AND 256 OF ARTICLE 41 OF THIS CODE, AS AMENDED FROM TIME TO TIME (ADMINISTRATIVE PROCEDURE ACT - JUDICIAL REVIEW).

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1978.

Approved May 29, 1978.