§ 326. Local health officer; temporary or acting; appointment; compensation; powers. 1. (a) A health officer with the consent of the board of health in a town or village, and with the consent of the board or official having power to appoint a health officer in a city, may appoint a person who meets the qualifications contained in the sanitary code to act as health officer during his temporary absence or incapacity on account of illness or other cause for a period not exceeding three months.

(b) In the event that the health officer fails to, or is physically incapable of appointing a qualified person to act as health officer during his temporary absence or incapacity, then the board of health in a town or village or the board or official having power to appoint a health officer in a city, shall appoint a qualified person to act as health officer during the temporary absence or incapacity of the regular health officer, for a period not exceeding three months.

(c) If any local board of health fails to appoint an acting health officer pursuant to this section then the commissioner may appoint a qualified person to serve as such health officer during the absence or incapacity of the health officer, for a period not exceeding three months.

2. The health officer, or the board of health or other official, who appoints a qualified person to act as health officer pursuant to this section, shall report immediately in writing to the department the name and address of the person so appointed.

3. An acting health officer, during the period for which he is appointed, shall have all the rights, powers and duties imposed upon the health officer by this chapter and the sanitary code.

4. The board of health in a town or village and the board or officer having authority to fix the salary of a health officer in a city may allow such compensation as it deems reasonable covering such temporary service. The appointment of an acting health officer in a case where the regular health officer shall have been appointed jointly by two or more local boards of health for two or more towns or villages shall be with the consent of the appointing local boards, and the compensation of such

acting health officer shall be allowed and paid in the same manner as the fixed compensation of the regular health officer.