

(3) If the court orders restitution of the possession of the property under paragraph (2) of this subsection, the court shall immediately issue its warrant to the sheriff or constable commanding execution of the warrant within 5 days after issuance of the warrant.

(4) The court may order the owner of the property to submit for court approval a plan of correction to ensure, to the extent reasonably possible, that the property will not again be used for a nuisance if:

- (i) The owner is a party to the action; and
- (ii) The owner knew of the existence of the nuisance.

~~(f)~~ (G) Except as provided in subsection ~~(e)~~ (F) (1) and (4) of this section, the court may order appropriate relief under subsections ~~(d) and (e)~~ (E) AND (F) of this section without proof that a defendant knew of the existence of the nuisance.

~~(g)~~ (H) In any action brought under this section:

(1) Evidence of the general reputation of the property is admissible to corroborate testimony based on personal knowledge or observation, or evidence seized during the execution of a search and seizure warrant, but shall not, in and of itself, be sufficient to establish the existence of a nuisance under this section; and

(2) Evidence that the nuisance had been discontinued at the time of the filing of the complaint or at the time of the hearing does not bar the imposition of appropriate relief by the court under subsections ~~(d) and (e)~~ (E) AND (F) of this section.

~~(h)~~ (I) The court may award court costs and reasonable attorney's fees to a community association that is the prevailing plaintiff in an action brought under this section.

~~(i)~~ (J) An action under this section shall be heard within 14 days after service of process on the parties.

~~(j)~~ (K) This section does not abrogate any equitable or legal right or remedy under existing law to abate a nuisance.

~~(k)~~ (L) (1) An appeal from a judgment or order under this section shall be filed within 10 days after the date of the order or judgment.

(2) (i) Upon motion of either party, the circuit court shall set a date for the hearing of the appeal, which shall be not less than 5 or more than 15 days after the date the motion is filed.

(ii) Notice of the order for a hearing shall be served on the opposite party or the party's attorney at least 20 days before the hearing.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1994.

Approved May 26, 1994.