

(III) IF A PERSON OTHER THAN THE PROPERTY OWNER, OCCUPANT, OR TENANT IS REASONABLY BELIEVED TO ~~BE RESPONSIBLE FOR~~ HAVE CAUSED THE STATE OF NUISANCE:

1. SERVE AN ABATEMENT ORDER ON ~~THE~~ THAT PERSON RESPONSIBLE; AND

2. A. SERVE A COPY OF THE ABATEMENT ORDER ON THE OWNER OF THE PROPERTY WHERE THE STATE OF NUISANCE EXISTS OR, IF THE OWNER CANNOT BE FOUND, ON THE OCCUPANT OR TENANT OF THE PROPERTY; OR

B. IF THE PROPERTY IS UNOCCUPIED AND THE OWNER CANNOT BE FOUND, ATTACH A COPY OF THE ABATEMENT ORDER TO THE PROPERTY WHERE THE STATE OF NUISANCE EXISTS.

(3) (I) AN ABATEMENT ORDER UNDER THIS SUBSECTION SHALL REQUIRE AND STATE:

1. A TIME PERIOD WITHIN WHICH THE PROPERTY OWNER, OCCUPANT, OR TENANT OR ANY OTHER ~~RESPONSIBLE~~ PERSON DETERMINED TO HAVE CAUSED THE STATE OF NUISANCE SHALL ABATE THE STATE OF NUISANCE; AND

2. TO THE BEST KNOWLEDGE OF THE DEPARTMENT, THE WORK AND MATERIALS NECESSARY TO ABATE THE STATE OF NUISANCE.

(II) THE TIME PERIOD WITHIN WHICH TO ABATE THE STATE OF NUISANCE OR TO COMMENCE ABATEMENT, AS WITHIN THE DISCRETION OF THE SECRETARY, MAY NOT BE LESS THAN 24 HOURS FROM THE DATE AND HOUR THAT THE ORDER IS SERVED.

(4) IF THE PROPERTY OWNER, OCCUPANT, OR TENANT OR ANY OTHER ~~RESPONSIBLE~~ PERSON SERVED WITH AN ABATEMENT ORDER UNDER THIS SUBSECTION FAILS TO ABATE OR COMMENCE ABATEMENT OF THE STATE OF NUISANCE WITHIN THE TIME SPECIFIED IN THE ORDER, THE DEPARTMENT MAY:

(I) ENTER ON THE PROPERTY; AND

(II) AT THE EXPENSE OF THE PROPERTY OWNER, OCCUPANT, OR TENANT OR ANY OTHER RESPONSIBLE PERSON DETERMINED TO HAVE WILLFULLY OR NEGLIGENTLY CAUSED THE STATE OF NUISANCE, DO ANY WORK AND USE ANY MATERIALS NECESSARY TO ABATE THE STATE OF NUISANCE.

(5) (I) 1. AS SOON AS THE TOTAL COST OF ANY ABATEMENT ACTIVITIES PERFORMED BY THE DEPARTMENT UNDER THIS SUBSECTION HAS BEEN DETERMINED, THE SECRETARY SHALL PROVIDE A FULL STATEMENT OF CHARGES TO ANY PERSON DETERMINED TO HAVE WILLFULLY OR NEGLIGENTLY CAUSED THE STATE OF NUISANCE.