

2. IF, WITHIN 90 DAYS AFTER THE RECEIPT OF CHARGES THE PERSON DOES NOT REMIT PAYMENT TO THE SECRETARY, THE SECRETARY MAY FILE SUIT AGAINST THE PERSON IN THE COUNTY WHERE THE STATE OF NUISANCE WAS ABATED.

(II) 1. TO THE EXTENT POSSIBLE, THE DEPARTMENT SHALL MINIMIZE PROPERTY DAMAGE DURING ABATEMENT ACTIVITIES.

2. IF THE DEPARTMENT HAS NOT DETERMINED THAT THE PROPERTY OWNER, OCCUPANT, OR TENANT CAUSED THE STATE OF NUISANCE, THE DEPARTMENT SHALL:

A. MAKE REASONABLE EFFORTS TO REPAIR ANY PROPERTY DAMAGE CAUSED BY ABATEMENT ACTIVITIES; OR

B. REIMBURSE THE OWNER, OCCUPANT, OR TENANT FOR REPAIR OR REPLACEMENT COSTS ASSOCIATED WITH DAMAGES CAUSED BY ABATEMENT ACTIVITIES.

(F) ALL ABATEMENT ACTIVITIES SHALL BE PERFORMED IN ACCORDANCE WITH CRITERIA ESTABLISHED BY THE DEPARTMENT.

(G) (1) ~~AS SOON AS THE TOTAL COST OF ANY ABATEMENT ACTIVITIES PERFORMED BY THE DEPARTMENT UNDER THIS SECTION HAS BEEN DETERMINED, THE SECRETARY SHALL PROVIDE A FULL STATEMENT OF CHARGES TO ANY PERSON RESPONSIBLE FOR THE STATE OF NUISANCE.~~

(2) ~~IF, WITHIN 90 DAYS AFTER THE RECEIPT OF CHARGES THE RESPONSIBLE PERSON DOES NOT REMIT PAYMENT TO THE SECRETARY, THE SECRETARY MAY FILE SUIT AGAINST THE PERSON IN THE COUNTY WHERE THE STATE OF NUISANCE WAS ABATED AN OWNER, OCCUPANT, OR TENANT OF A PROPERTY ON WHICH THE DEPARTMENT HAS PERFORMED ABATEMENT ACTIVITIES MAY NOT BE HELD CIVILLY LIABLE FOR DAMAGES CLAIMED BY A THIRD PARTY AS A RESULT OF ABATEMENT ACTIVITIES PERFORMED BY THE DEPARTMENT, UNLESS THE OWNER, OCCUPANT, OR TENANT HAS BEEN DETERMINED TO HAVE WILLFULLY OR NEGLIGENTLY CAUSED THE STATE OF NUISANCE.~~

(H) A PERSON MAY NOT:

(1) INTERFERE WITH THE SECRETARY, A REPRESENTATIVE OF THE SECRETARY, OR ANY OTHER INDIVIDUAL ENGAGED IN THE ABATEMENT OR SUMMARY ABATEMENT OF A STATE OF NUISANCE UNDER THIS SECTION; OR

(2) REFUSE TO ALLOW THE SECRETARY, A REPRESENTATIVE OF THE SECRETARY, OR ANY OTHER INDIVIDUAL TO ENTER ON ANY PROPERTY FOR THE PURPOSE OF ABATING OR SUMMARILY ABATING A STATE OF NUISANCE UNDER THIS SECTION.

(I) IN ADDITION TO ANY OTHER PENALTY PROVIDED UNDER LAW, A PERSON WHO VIOLATES A PROVISION OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 30 DAYS OR A FINE NOT EXCEEDING \$2,500 OR BOTH.