

6-318. ABATEMENT ORDERS — IN GENERAL.

(A) AUTHORITY TO ISSUE.

THE STATE FIRE MARSHAL MAY ISSUE A REASONABLE ABATEMENT ORDER IF THE STATE FIRE MARSHAL:

(1) DETERMINES THAT A BUILDING OR STRUCTURE HAS BEEN CONSTRUCTED, ALTERED, OR REPAIRED IN A MANNER THAT VIOLATES A REGULATION ADOPTED BY THE COMMISSION BEFORE THE CONSTRUCTION, ALTERATION, OR REPAIRS BEGAN;

(2) DETERMINES THAT A BUILDING OR STRUCTURE:

(I) IS A FIRE HAZARD BECAUSE OF DISREPAIR, AGE, DILAPIDATED OR ABANDONED CONDITION, OR FOR ANY OTHER REASON; AND

(II) ENDANGERS OTHER BUILDINGS AND PROPERTY; OR

(3) FINDS IN A BUILDING OR ON PREMISES A COMBUSTIBLE, FLAMMABLE, OR EXPLOSIVE SUBSTANCE OR MATERIAL, OR OTHER CONDITION DANGEROUS TO THE SAFETY OF INDIVIDUALS WHO OCCUPY THE BUILDING OR PREMISES AND ADJACENT PREMISES OR PROPERTY.

(B) FORM AND CONTENTS.

AN ABATEMENT ORDER UNDER THIS SECTION SHALL:

(1) BE IN WRITING;

(2) BE DIRECTED TO THE OWNER OR OCCUPANT OF THE BUILDING, STRUCTURE, OR PREMISES; AND

(3) CONTAIN A NOTICE THAT:

(I) COMPLIANCE WITH THE ORDER IS REQUIRED WITHIN THE TIME SPECIFIED IN THE NOTICE; AND

(II) ANY PERSON AGGRIEVED BY THE ORDER MAY FILE AN APPEAL FROM THE ORDER IN ACCORDANCE WITH SUBTITLE 5 OF THIS TITLE.

(C) RELIEF.

THE ABATEMENT ORDER MAY ORDER:

(1) THE REPAIR OR DEMOLITION OF THE BUILDING OR STRUCTURE OR THE REMOVAL OF THE COMBUSTIBLE, FLAMMABLE, OR EXPLOSIVE SUBSTANCE OR MATERIAL; AND

(2) THE REMEDYING OF ANY CONDITION FOUND TO BE IN VIOLATION OF A REGULATION ADOPTED BY THE COMMISSION OR TO BE DANGEROUS TO THE SAFETY OF INDIVIDUALS OR PROPERTY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 38A, § 9(b) and the fourth sentence of § 10.