

(b) (1) If the Secretary finds that [the condition of the place or thing investigated may injure any adjacent property or may injure the life or health of any individual, the place or thing is in a state of nuisance and] A NUISANCE EXISTS, the Secretary shall serve a written notice to the person who is causing the nuisance, ordering the person to abate the nuisance within a time specified in the notice.

(2) The notice shall be served:

(i) On the person who is causing the nuisance; or

(ii) If the person who is causing the nuisance cannot be found, on the owner or occupant of the property where the nuisance exists.

(c) (1) The Secretary may file a complaint in the circuit court for the county where the nuisance exists if:

(i) The person served with the notice fails to comply with the requirements of the notice; or

(ii) Although the person served complies with the requirements of the notice, the nuisance is likely to recur on the same property.

(2) A complaint filed under this subsection may seek a court order requiring the person served with the notice to [do any or all of the following]:

(i) [To comply] COMPLY with the requirements of the Secretary's abatement [notice.] NOTICE;

(ii) [To abate] ABATE the nuisance within a time specified in the [order.] ORDER;

(iii) [To prevent] PREVENT the nuisance from [recurring.] RECURRING; OR

(IV) PAY A FINE OF NOT MORE THAN \$1,000.

20-308.

(a) [(1)] If, after investigation, the Secretary OR A LOCAL HEALTH OFFICER finds that [any of the following conditions exists, the place or thing as to which the condition exists is in a state of nuisance:

(i) The contents overflow or leak from an outhouse, a water closet, a septic tank, or a cesspool and present a hazard to public health.

(ii) An outhouse, a water closet, or a cesspool is not flytight and watertight and presents a hazard to public health.

(2) The] A NUISANCE EXISTS THAT PRESENTS AN IMMEDIATE HAZARD TO PUBLIC HEALTH, THE Secretary OR LOCAL HEALTH OFFICER MAY summarily [may] abate [any condition that is in a state of] THE nuisance [under this subsection].