

(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].

(b) Before summarily abating a nuisance under this section, the Secretary OR A LOCAL HEALTH OFFICER shall:

(1) Serve an abatement order on the owner of the property where the nuisance exists or, if the owner cannot be found, on the occupant or tenant of the property; or

(2) If the property is unoccupied and the owner cannot be found, attach an abatement order to the property where the nuisance exists.

(c) (1) The abatement order shall require and state:

(i) A time period within which the owner, occupant, or tenant of the property where the nuisance exists shall abate the nuisance; and

(ii) The work and materials necessary to abate the nuisance.