

87 accordance with Subsection (2).

88 (b) An ordinance described in Subsection (1)(a) may not direct an inspector or
89 authorize a municipality to abate conditions solely associated with the interior of a structure,
90 unless required:

91 (i) for the demolition and removal of the structure~~[-];~~ or

92 (ii) to eliminate or remove hazardous materials within a structure that has been closed
93 to occupancy or entry by a local health department or fire department.

94 (c) An ordinance described in Subsection (1)(a) may direct an inspector or authorize a
95 municipality to issue an order limiting or restricting access to a structure and the real property
96 appurtenant to the structure while the municipal inspector or a certified decontamination
97 specialist destroys, removes, or abates hazardous materials within the structure.

98 (d) If a municipality has adopted an ordinance establishing an administrative
99 proceeding process for the violation of a municipal ordinance in accordance with the
100 requirements of Section 10-3-703.7, the municipality may adopt an ordinance imposing the
101 following for a violation of an order issued under Subsection (1)(c):

102 (i) a civil penalty in accordance with Subsection 10-3-703(2); or ~~H→ [-] ←H~~

103 (ii) in accordance with Subsection 10-3-703(1), a criminal penalty, including by a fine
104 not to exceed the maximum class B misdemeanor fine under Section 76-3-301, by a term of
105 imprisonment up to six months, or by both the fine and term of imprisonment.

106 (e) An ordinance adopted in accordance with ~~H→~~ Subsection ~~←H~~ (1)(d) shall provide 180
106a days after the day
107 on which the written notice from an inspector is delivered in person or the date the notice is
108 post-marked for the recipient of the notice to:

109 (i) abate the hazardous materials; or

110 (ii) appeal the notice and begin the administrative proceeding process.

111 (2) (a) (i) The municipal inspector shall serve written notice to a property owner of
112 record according to the records of the county recorder in accordance with Subsection (2)(b).

113 (ii) The municipal inspector may serve written notice in accordance with Subsection
114 (2)(b) to a non-owner occupant of the property or another person responsible for the property
115 who is not the owner of record, including a manager or agent of the owner, if:

116 (A) the property owner is not an occupant of the property; and

117 (B) the municipality in which the property is located has adopted an ordinance

118 imposing a duty to maintain the property on an occupant who is not the property owner of
 119 record or a person other than the property owner of record who is responsible for the property.

120 (b) The municipal inspector may serve the written notice:

121 (i) in person or by mail to the property owner of record as described in Subsection
 122 (2)(a)(i), if mailed to the last-known address of the owner according to the records of the
 123 county recorder; or

124 (ii) in person or by mail to a non-owner occupant or another person responsible for the
 125 property who is not the owner of record as described in Subsection (2)(a)(ii), if mailed to the
 126 property address.

127 (c) In the written notice described in Subsection (2)(a), the municipal inspector shall:

128 (i) identify the property owner of record according to the records of the county
 129 recorder;

130 (ii) describe the property and the nature and results of the examination and
 131 investigation conducted in accordance with Subsection (1)(a); ~~and~~

132 (iii) identify the relevant regulation or ordinance at issue and describe the violation of
 133 the relevant regulation or ordinance;

134 (iv) describe each order, fine, or penalty that may be imposed;

135 (v) for a structure or any real property closed to occupancy or entry by a local health
 136 department because of hazardous materials, explain the right of a property owner, occupant, or,
 137 if applicable, another person responsible for the property to abate the hazardous materials or
 138 appeal the notice within 180 days after the day on which notice is delivered in person or the
 139 date the notice is post-marked; ~~It~~ **→ and ←** ~~It~~

140 ~~[(iii)]~~ (vi) require the property owner, occupant, or, if applicable, another person
 141 responsible for the property to:

142 (A) eradicate or destroy and remove any identified item examined and investigated
 143 under Subsection (1)(a); and

144 (B) comply with Subsection (2)(c)(iii)(A) in a time period designated by the municipal
 145 inspector but no less than 10 days after the day on which notice is delivered in person or
 146 post-marked, or for a notice related to hazardous materials, no less than 180 days after the day
 147 on which notice is delivered in person or post-marked.

148 (d) For a notice of injurious and noxious weeds described in Subsection (2)(a), the