

7. THE DEGREE OF HAZARD POSED BY THE PARTICULAR POLLUTANT OR POLLUTANTS INVOLVED;

8. THE EXTENT TO WHICH THE CURRENT VIOLATION IS PART OF A RECURRENT PATTERN OF THE SAME OR SIMILAR TYPE OF VIOLATION COMMITTED BY THE VIOLATOR; AND

9. WHETHER OR NOT PENALTIES WERE ASSESSED OR WILL BE ASSESSED UNDER OTHER PROVISIONS OF THIS SUBTITLE.

(3) EACH DAY A VIOLATION OCCURS IS A SEPARATE VIOLATION UNDER THIS SUBSECTION.

(4) ANY PENALTY IMPOSED UNDER THIS SUBSECTION IS PAYABLE TO THIS STATE AND COLLECTIBLE IN ANY MANNER PROVIDED AT LAW FOR THE COLLECTION OF PENALTIES.

~~(5) IF ANY PERSON WHO IS LIABLE TO PAY A PENALTY IMPOSED UNDER THIS SECTION FAILS TO PAY IT AFTER DEMAND, THE AMOUNT, TOGETHER WITH INTEREST AND ANY COSTS THAT MAY ACCRUE, SHALL, AFTER ADJUDICATION BY A COURT, BE:~~

~~(I) A LIEN IN FAVOR OF THIS STATE ON ANY PROPERTY, REAL OR PERSONAL, OF THE PERSON; AND~~

~~(II) RECORDED IN THE OFFICE OF THE CLERK OF THE COURT FOR THE COUNTY IN WHICH THE PROPERTY IS LOCATED.~~

(F) IF A COUNTY OR MUNICIPALITY FAILS TO ENFORCE ANY PROVISION OF THIS SUBTITLE, THE DEPARTMENT MAY REQUEST THE ATTORNEY GENERAL TO TAKE APPROPRIATE LEGAL ACTION TO CORRECT THE VIOLATION AND TO RECOVER PENALTIES UNDER THIS SECTION, PROVIDED THAT THE COUNTY OR MUNICIPALITY HAS BEEN GIVEN PRIOR WRITTEN NOTIFICATION OF THE VIOLATION BY THE DEPARTMENT AND HAS BEEN AFFORDED A REASONABLE OPPORTUNITY TO TAKE ENFORCEMENT ACTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1990.

Approved May 29, 1990.

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CHAPTER 674

(House Bill 1276)

AN ACT concerning

Estates and Trusts - Definitions - Interested Person - Legatee