

DISSATISFIED WITH ANY ORDER, RULE, OR REGULATION OF THE SECRETARY UNDER THIS SUBTITLE MAY COMMENCE, WITHIN 10 DAYS AFTER THE SERVICE OF THE ORDER, RULE, OR REGULATION, AN ACTION IN THE CIRCUIT COURT FOR ANY COUNTY TO VACATE AND SET ASIDE THE ORDER, RULE, OR REGULATION ON THE GROUND THAT THE ORDER, RULE, OR REGULATION IS UNLAWFUL OR UNREASONABLE, OR THAT THE ORDER IS NOT NECESSARY FOR THE PROTECTION OF THE PUBLIC HEALTH OR COMFORT, IN WHICH ACTION A COPY OF THE COMPLAINT SHALL BE SERVED WITH THE SUMMONS. THE ANSWER OF THE SECRETARY SHALL BE FILED WITHIN 10 DAYS, WHEREUPON THE CAUSE SHALL BE AT ISSUE, AND STAND READY FOR TRIAL UPON 15 DAYS' NOTICE TO EITHER PARTY. ANY ACTION UNDER THIS SECTION SHALL HAVE PRECEDENCE OVER ANY CIVIL CAUSE OF A DIFFERENT NATURE, EXCEPT APPEALS FROM AN ORDER OF THE PUBLIC SERVICE COMMISSION, THE COURTS SHALL ALWAYS BE DEEMED OPEN FOR TRIAL OF AN ACTION UNDER THIS SECTION AND ANY ACTION UNDER THIS SECTION SHALL BE TRIED AND DETERMINED AS OTHER CIVIL ACTIONS. EITHER PARTY TO AN ACTION UNDER THIS SECTION MAY APPEAL TO THE COURT OF SPECIAL APPEALS.

REVISOR'S NOTE: This section formerly appeared as Article 43, § 404.

The only changes are in style.

9-225. CIVIL PENALTY.

(A) CIVIL PENALTY.

IF ANY COUNTY, MUNICIPALITY, WATER, SEWERAGE OR SANITARY DISTRICT, CORPORATION, COMPANY, INSTITUTION, PERSON, OR OFFICER OF A CORPORATION, COMPANY OR INSTITUTION UPON WHOM THE DUTY TO ACT IS CAST FAILS TO COMPLY WITH ANY ORDER OF THE SECRETARY BY THE TIME SPECIFIED FOR COMPLIANCE WITH THE ORDER, OR, IN CASE OF AN APPEAL, MORE THAN 10 DAYS AFTER FINAL JUDGMENT AFFIRMING THE SECRETARY'S ORDER IS ENTERED, TO OBEY THE ORDER OR IN GOOD FAITH TO BEGIN TO OBEY THE ORDER, THE COUNTY, MUNICIPALITY, DISTRICT, CORPORATION, COMPANY, INSTITUTION, PERSON OR OFFICER SHALL BE LIABLE FOR AND FORFEIT TO THIS STATE A CIVIL PENALTY OF NOT LESS THAN \$10 NOR MORE THAN \$500, PLUS AN EXTRA PENALTY OF NOT LESS THAN \$5 NOR MORE THAN \$50 PER DAY FOR EACH DAY BEYOND THE TIME LIMIT THAT THE ORDER IS NOT COMPLIED WITH, TO BE RECOVERED BY THE STATE IN CIVIL ACTION.

(B) DISPOSITION OF FUNDS.

ALL FUNDS COLLECTED UNDER THIS SECTION SHALL BE PAID INTO THE GENERAL FUND OF THIS STATE.

REVISOR'S NOTE: This section formerly appeared as Article 43, § 405.

The only changes are in style.