

VIOLATION WITHIN 60 DAYS AFTER THE REQUEST REFERRED TO IN PARAGRAPH (1) OF THIS SUBSECTION, AND IF THE EXECUTIVE DIRECTOR FINDS THAT THE FAILURE IS UNJUSTIFIED, THE EXECUTIVE DIRECTOR MAY REQUEST THE ATTORNEY GENERAL TO BEGIN PROCEEDINGS AGAINST THE PERSON RESPONSIBLE FOR THE ALLEGED VIOLATION, AND THE ATTORNEY GENERAL MAY PROSECUTE THE VIOLATION WITH ALL LEGAL AUTHORITY OF THE LOCAL JURISDICTION.

(B) (1) IF A PERSON FAILS TO APPLY FOR OR OBTAIN A REQUIRED PROJECT APPROVAL FOR DEVELOPMENT IN THE CHESAPEAKE BAY CRITICAL AREA, THE COMMISSION MAY REQUEST THE LOCAL JURISDICTION INVOLVED TO INVESTIGATE THIS FAILURE.

(2) IF THE LOCAL JURISDICTION FAILS TO BEGIN ENFORCEMENT PROCEEDINGS WITHIN 30 DAYS AFTER THE REQUEST REFERRED TO IN PARAGRAPH (1) OF THIS SUBSECTION, AND IF THE EXECUTIVE DIRECTOR OF THE COMMISSION FINDS THAT THE FAILURE IS UNJUSTIFIED, THE EXECUTIVE DIRECTOR MAY REQUEST THE ATTORNEY GENERAL TO BEGIN ENFORCEMENT PROCEEDINGS, AND THE ATTORNEY GENERAL FOR THIS PURPOSE SHALL HAVE ALL LEGAL AUTHORITY OF THE LOCAL JURISDICTION.

(C) (1) IF THE COMMISSION FINDS, BY A TWO-THIRDS VOTE OF ITS ENTIRE MEMBERSHIP, THAT A PATTERN OF NONENFORCEMENT OF THE PROGRAM OF A LOCAL JURISDICTION EXISTS, THE COMMISSION MAY IMPOSE A MORATORIUM ON ALL PROJECT APPROVALS IN THAT PART OF THE CHESAPEAKE BAY CRITICAL AREA LOCATED IN THAT LOCAL JURISDICTION.

(2) THE MORATORIUM SHALL CONTINUE UNTIL THE COMMISSION DETERMINES THAT THE LOCAL JURISDICTION IS PREPARED TO ENFORCE ITS PROGRAM.

(D) (1) A PERSON WHO IS ADJUDGED TO HAVE KNOWINGLY OR WILLFULLY FAILED TO APPLY FOR A REQUIRED PROJECT APPROVAL FOR DEVELOPMENT IN THE CHESAPEAKE BAY CRITICAL AREA, WHO ENGAGES IN DEVELOPMENT IN THE CHESAPEAKE BAY CRITICAL AREA WHEN A REQUIRED PROJECT APPROVAL HAS BEEN REFUSED, OR WHO VIOLATES THE CONDITIONS CONTAINED IN A PROJECT APPROVAL FOR DEVELOPMENT IN THE CHESAPEAKE BAY CRITICAL AREA IS GUILTY OF A MISDEMEANOR.

(2) EACH VIOLATION IS PUNISHABLE BY A FINE OF NOT MORE THAN \$500 OR IMPRISONMENT FOR NOT MORE THAN 90 DAYS OR BOTH.

(3) A PERSON WHO IS ADJUDGED TO HAVE COMMITTED THE ACTS DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION IS ALSO GUILTY OF A CIVIL OFFENSE PUNISHABLE BY A CIVIL PENALTY OF NOT MORE THAN \$17,000.

(4) IF A PERSON CONTINUES TO COMMIT THE ACTS DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, OR REPEATS THOSE ACTS, AFTER WRITTEN NOTICE FROM THE LOCAL JURISDICTION OR THE EXECUTIVE DIRECTOR OF THE COMMISSION THAT THE LOCAL JURISDICTION OR THE COMMISSION INTENDS TO SEEK A DAILY PENALTY FOR VIOLATION, THE COURT MAY DETERMINE THAT EACH DAY DURING WHICH THE VIOLATION CONTINUES OR IS REPEATED CONSTITUTES A SEPARATE VIOLATION SUBJECT TO THE PENALTIES PROVIDED FOR IN THIS SUBSECTION.