

(2) "REPEATED INFRACTION" MEANS A RECURRING VIOLATION OF THE SAME PROVISION OF THE WSSC EROSION AND SEDIMENT CONTROL REGULATIONS BY THE SAME PERSON.

(3) "WSSC INFRACTION" MEANS A VIOLATION OF THE WSSC EROSION AND SEDIMENT CONTROL RULES AND REGULATIONS.

(B) (1) UNDER THE AUTHORITY OF § 9-101 OF THIS ARTICLE AND § 8-1104 OF THE NATURAL RESOURCES ARTICLE, THE WSSC MAY ADOPT AND ENFORCE REGULATIONS FOR EROSION AND SEDIMENT CONTROL REQUIREMENTS FOR UTILITY CONSTRUCTION IN PRINCE GEORGE'S AND MONTGOMERY COUNTIES.

(2) THE EROSION AND SEDIMENT CONTROL REGULATIONS SHALL BE:

(I) REVIEWED AND APPROVED BY THE SOIL CONSERVATION DISTRICTS OF PRINCE GEORGE'S AND MONTGOMERY COUNTIES AND THE DEPARTMENT OF NATURAL RESOURCES; AND

(II) PUBLISHED AT LEAST 30 DAYS BEFORE THEIR PROMULGATION IN AT LEAST ONE NEWSPAPER PUBLISHED IN EACH COUNTY OF THE SANITARY DISTRICT, AND THE PUBLICATION SHALL BE SUFFICIENT NOTICE TO ALL PERSONS.

(3) THE SWORN CERTIFICATE OF ANY MEMBER OF THE WSSC OF THE PUBLICATION OF REGULATIONS UNDER THIS SECTION IS PRIMA FACIE EVIDENCE OF PUBLICATION.

(C) (1) ANY PERSON WHO VIOLATES ANY PROVISION OF THE WSSC EROSION AND SEDIMENT CONTROL REGULATIONS IS GUILTY OF A WSSC INFRACTION, AND, UPON ISSUANCE DELIVERY OF A CITATION BY THE WSSC UNDER SUBSECTION (D)(1) OF THIS SECTION, SHALL PAY TO WSSC A CIVIL MONETARY FINE IN THE AMOUNT SET FORTH IN SUBSECTION (C)(3) OF THIS SUBSECTION.

(2) EACH DAY THAT A VIOLATION REMAINS UNCORRECTED IS A SEPARATE WSSC INFRACTION SUBJECT TO AN ADDITIONAL CITATION AND FINE IN THE AMOUNT SET FORTH IN SUBSECTION ~~(e)(4)~~ (C)(3) OF THIS SECTION.

(3) THE CIVIL MONETARY FINE FOR A WSSC INFRACTION UNDER THIS SECTION SHALL BE \$500 \$250.

(4) FOR A REPEATED INFRACTION, THE FOLLOWING FINES SHALL APPLY:

- (I) 2ND VIOLATION.....~~\$1,000~~ \$500;
- (II) 3RD VIOLATION.....~~\$1,500~~ \$750; AND
- (III) EACH VIOLATION IN EXCESS OF 3.....~~\$2,000~~

\$1,000.