

(B) SEPARATE VIOLATIONS.

EACH DAY ON WHICH A VIOLATION OCCURS IS A SEPARATE VIOLATION UNDER THIS SECTION.

REVISOR'S NOTE: Subsection (a) of this section formerly appeared as the first sentence of HE § 9-229.

The only changes are in style.

Subsection (b) of this section is new language derived without substantive change from the last sentence of former HE § 9-229.

9-268. CIVIL PENALTIES -- IN GENERAL.

(A) "PERSON" DEFINED.

IN THIS SECTION, "PERSON" INCLUDES A WATER, SEWERAGE, OR SANITARY DISTRICT.

~~(A)~~ (B) IN GENERAL.

A PERSON IS LIABLE TO THE STATE FOR CIVIL PENALTIES IF THE PERSON:

(1) FAILS TO COMPLY WITH A FINAL ORDER OF THE SECRETARY WITHIN THE TIME STATED-IN SET FOR COMPLIANCE WITH THE ORDER; OR

(2) AFTER AN APPEAL HAS BEEN FILED ~~UNDER-§-9-263-OF THIS-SUBTITLE~~, FAILS TO OBEY OR IN GOOD FAITH BEGIN TO OBEY A FINAL ORDER OF THE SECRETARY WITHIN 10 DAYS AFTER THE COURT ENTERS A FINAL JUDGMENT AFFIRMING THE ORDER.

~~(B)~~ (C) AMOUNT OF CIVIL PENALTIES.

THESE CIVIL PENALTIES ARE:

(1) A BASIC PENALTY NOT LESS THAN \$500 NOR MORE THAN \$10,000; AND

(2) AN ADDITIONAL PENALTY NOT LESS THAN \$500 NOR MORE THAN \$10,000 A DAY FOR EACH DAY OF NONCOMPLIANCE AFTER THE TIME STATED-IN-THE-SECRETARY'S-ORDER FOR COMPLIANCE WITH THE ORDER, UP TO A MAXIMUM OF \$50,000.

~~(C)~~ (D) CIVIL ACTION.

THE-DEPARTMENT-SHALL-FILE-A-CIVIL-ACTION--IF--IT--WISHES--TO RECOVER--CIVIL--PENALTIES--UNDER--THIS--SECTION. THE STATE SHALL RECOVER THE CIVIL PENALTIES UNDER THIS SECTION IN A CIVIL ACTION.