

(ii) Maintaining erosion and sediment controls in accordance with an approved plan; and

(iii) The permanent restoration of the disturbed land to a stable condition.

(3) The appropriate county, municipal, or State agency may recover a civil penalty under paragraph (1) of this subsection on proof of costs as specified in paragraph (2) of this subsection, without the necessity of proving that the agency performed work or incurred expenses. However, if any person responsible has made the required corrections within the time specified by a State, county, or municipal order, the appropriate State, county, or municipal agency may recover a civil penalty under this subsection in an amount equal to not more than 50 percent of the costs specified in paragraph (2) of this subsection.] THE APPROPRIATE STATE, COUNTY, OR MUNICIPAL AGENCY MAY BRING A CIVIL ACTION AGAINST A PERSON FOR A VIOLATION OF THIS SUBTITLE.

(2) (I) THE ACTION MAY SEEK THE IMPOSITION OF A CIVIL PENALTY UP TO ~~\$15,000~~ \$10,000 FOR EACH VIOLATION.

(II) IN IMPOSING A PENALTY UNDER THIS PARAGRAPH, THE COURT MAY CONSIDER THE COST OF RESTORING THE AREA UNLAWFULLY DISTURBED.

[(4)](3) [Any county, municipal, or] A State, COUNTY, OR MUNICIPAL agency that recovers penalties in accordance with this subtitle shall deposit them in a special fund, to be used solely for:

(i) Correcting to the extent possible the failure to implement or maintain erosion and sediment controls; and

(ii) Administration of the sediment control program.

4-215.

(a) (1) Any person who violates any provision of this subtitle or any regulation or stormwater management plan adopted or approved under this subtitle is guilty of a misdemeanor and upon conviction in a court of competent jurisdiction is subject to a fine not exceeding [~~\$5,000~~ ~~\$15,000~~ \$10,000] or imprisonment not exceeding 1 year or both for each violation with costs imposed in the discretion of the court.

(2) THE COURT MAY ORDER THE PERSON TO RESTORE THE AREA UNLAWFULLY DISTURBED.

(3) Each day upon which the violation occurs constitutes a separate offense.

(c) (1) In addition to any other sanction under this subtitle, the Department or the Department of Natural Resources, as appropriate, or a political subdivision may bring a civil action against any person for any violation of this subtitle or any regulation or stormwater management plan adopted or approved under this subtitle.