

NOTWITHSTANDING ANY OTHER LAW, IF THE FACTS OF A CASE IN WHICH A PERSON IS CHARGED WITH VIOLATING THIS SECTION ARE SUFFICIENT TO PROVE THAT THE PERSON IS RESPONSIBLE FOR THE VIOLATION, THE OWNER OF THE PROPERTY ON WHICH THE VIOLATION ALLEGEDLY OCCURRED NEED NOT BE PRESENT AT A COURT PROCEEDING REGARDING THE CASE.

(F) PENALTY.

(1) A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO THE PENALTIES PROVIDED IN THIS SUBSECTION.

(2) (I) A PERSON WHO DISPOSES OF LITTER IN VIOLATION OF THIS SECTION IN AN AMOUNT NOT EXCEEDING 100 POUNDS OR 27 CUBIC FEET AND NOT FOR COMMERCIAL GAIN IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 30 DAYS OR A FINE NOT EXCEEDING \$1,000 OR BOTH.

(II) A PERSON WHO DISPOSES OF LITTER IN VIOLATION OF THIS SECTION IN AN AMOUNT EXCEEDING 100 POUNDS OR 27 CUBIC FEET, BUT NOT EXCEEDING 500 POUNDS OR 216 CUBIC FEET, AND NOT FOR COMMERCIAL GAIN IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

(III) A PERSON WHO DISPOSES OF LITTER IN VIOLATION OF THIS SECTION IN AN AMOUNT EXCEEDING 500 POUNDS OR 216 CUBIC FEET OR IN ANY AMOUNT FOR COMMERCIAL GAIN IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$25,000 OR BOTH.

(3) IN ADDITION TO THE PENALTIES PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION, A COURT MAY ORDER THE VIOLATOR TO:

(I) REMOVE OR RENDER HARMLESS THE LITTER DISPOSED OF IN VIOLATION OF THIS SECTION;

(II) REPAIR OR RESTORE ANY PROPERTY DAMAGED BY, OR PAY DAMAGES FOR, THE DISPOSAL OF THE LITTER IN VIOLATION OF THIS SECTION;

(III) PERFORM PUBLIC SERVICE RELATING TO THE REMOVAL OF LITTER DISPOSED OF IN VIOLATION OF THIS SECTION OR TO THE RESTORATION OF AN AREA POLLUTED BY LITTER DISPOSED OF IN VIOLATION OF THIS SECTION; OR

(IV) REIMBURSE THE STATE, COUNTY, MUNICIPAL CORPORATION, OR BI-COUNTY UNIT FOR ITS COSTS INCURRED IN REMOVING THE LITTER DISPOSED OF IN VIOLATION OF THIS SECTION.

(4) IN ADDITION TO, OR INSTEAD OF, THE PENALTIES PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, THE COURT MAY SUSPEND FOR UP TO 7 DAYS THE LICENSE OF THE PERSON TO OPERATE THE TYPE OF CONVEYANCE USED IN THE VIOLATION WHO IS PRESUMED TO BE RESPONSIBLE FOR THE VIOLATION UNDER SUBSECTION (D) OF THIS SECTION.