

13-2437. ADMINISTRATIVE AND CIVIL PENALTIES.

(A) IN GENERAL.

IF A PERSON VIOLATES PART III OF THIS SUBTITLE, THE PERSON IS SUBJECT TO:

(1) FOR A FIRST VIOLATION, SUSPENSION OF THE PERSON'S TIP JAR LICENSE OR WHOLESALER'S LICENSE AND A CIVIL PENALTY NOT EXCEEDING \$1,500; OR

(2) FOR EACH SUBSEQUENT VIOLATION, REVOCATION OF THE PERSON'S TIP JAR LICENSE OR WHOLESALER'S LICENSE AND A CIVIL PENALTY NOT EXCEEDING \$5,000.

(B) ACTION AGAINST LIQUOR LICENSE.

IN ADDITION TO THE PENALTIES UNDER SUBSECTION (A)(2) OF THIS SECTION, IF THE PERSON HAS A LIQUOR LICENSE, THE AGENCY MAY RECOMMEND TO THE BOARD OF LICENSE COMMISSIONERS FOR WASHINGTON COUNTY THAT THE BOARD SUSPEND THE PERSON'S LIQUOR LICENSE FOR NOT LESS THAN 15 DAYS FOR A SUBSEQUENT VIOLATION.

(C) DISPOSITION OF CIVIL PENALTIES.

CIVIL PENALTIES COLLECTED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE CREDITED TO THE GENERAL FUND OF WASHINGTON COUNTY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 255C(s)(2) through (4).

In subsections (a) and (c) of this section, the references to a "civil penalt[y]" are substituted for the former references to a "civil fine" and "[f]ines" for accuracy.

In the introductory language of subsection (a) of this section, the former phrase "[i]f the County agency finds" is deleted for accuracy in light of § 13-2434 of this subtitle, which specifies that a final decision is made by the county commissioners or an administrative law judge.

In subsection (a)(1) and (2) of this section, the references to a "violation" are substituted for the former references to an "offense" for consistency within this article. See General Revisor's Note to article.

In subsection (a)(1) of this section, the former reference to "denial" of a license is deleted as unnecessary in light of § 13-2433(a) of this subtitle, as it relates to applicants, and as inaccurate, as it relates to persons currently in possession of a license.

In subsection (a)(2) of this section, the reference to "each" subsequent violation is substituted for the former reference to "a second or" subsequent offense for consistency within this article.