

APPROVED, OR ISSUED UNDER THE AUTHORITY OF THIS SUBTITLE shall be ~~subject~~:

1. SUBJECT to prosecution or suit IN CIRCUIT COURT OR DISTRICT COURT by THE CHAIRMAN OR local authorities, who may invoke the sanctions and remedies afforded by State or local law;

2. GUILTY OF A MISDEMEANOR; AND

3. ON CONVICTION IN A COURT OF COMPETENT JURISDICTION, SUBJECT TO A FINE NOT EXCEEDING \$10,000 OR IMPRISONMENT NOT EXCEEDING 90 DAYS OR BOTH, WITH COSTS IMPOSED IN THE DISCRETION OF THE COURT.

(II) A CRIMINAL PROSECUTION OR A SUIT FOR A CIVIL PENALTY FOR VIOLATION OF A PROVISION OF AN ORDER, PERMIT, PLAN, LOCAL PROGRAM, THIS SUBTITLE, OR REGULATIONS ADOPTED, APPROVED, OR ISSUED UNDER THE AUTHORITY OF THIS SUBTITLE SHALL BE INSTITUTED WITHIN 3 YEARS AFTER THE COMMISSION OR THE LOCAL AUTHORITIES IN FACT KNEW OR REASONABLY SHOULD HAVE KNOWN OF THE VIOLATION.

[(2)] (3) A local authority may request:

(i) Assistance from the Commission in an enforcement action;
or

(ii) That the chairman refer an enforcement action to the Attorney General.

8-1815.1.

(b) If a person cuts or clears or plans to cut or clear trees within the Chesapeake Bay Critical Area or Atlantic Coastal Bays Critical Area in violation of an approved local critical area program or of regulations adopted by the Commission, **THE CHAIRMAN MAY BRING AN ACTION, OR** the local jurisdiction may bring an action or request that the chairman of the Commission refer the matter to the Attorney General to bring an action:

(1) To require the person to replant trees where the cutting or clearing occurred in accordance with a plan prepared by the State Forester, a registered professional forester, or a registered landscape architect;

(2) To restrain the planned violation; or