

§1325. Violation

A person who violates any section of this chapter or rules adopted pursuant to this chapter commits a Class E crime. In addition, other than for a violation covered under section 1316-A, the department may, in accordance with Title 5, chapter 375, subchapter 4, impose an administrative penalty not to exceed \$500 for a violation of this chapter or rules adopted pursuant to this chapter. Each day a violation continues constitutes a separate offense. Violations existing within individual dwelling units are considered separate violations. An action commenced by the department to enforce any administrative penalty imposed under this section may be brought in the name of the State in the Superior Court in the county where the violation occurred or in Kennebec County and must be prosecuted by the Attorney General. The court shall award to the State all costs in bringing the enforcement action as well as reasonable interest on penalties not paid. This section does not limit the authority of the Department of Environmental Protection to seek penalties for violations under the authority of Title 38, section 349. All penalties and awards collected under this section must be deposited in the Lead Poisoning Prevention Fund established under section 1322-E. [PL 2015, c. 267, Pt. LLLL, §2 (AMD).]

SECTION HISTORY

PL 1973, c. 367 (NEW). PL 1975, c. 239, §12 (AMD). PL 1991, c. 810, §33 (AMD). PL 1999, c. 276, §17 (AMD). PL 2015, c. 267, Pt. LLLL, §2 (AMD).

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