

4-2-15 Civil and criminal penalties -- Costs -- Civil liability.

- (1) Except as otherwise provided by this title, any person, or the officers or employees of any person, who violates this title or any lawful notice or order issued pursuant to this title shall be assessed a penalty not to exceed \$5,000 per violation in a civil proceeding, and in a criminal proceeding is guilty of a class B misdemeanor. A subsequent criminal violation within two years is a class A misdemeanor.
- (2) Any person, or the officers or employees of any person, shall be liable for any expenses incurred by the department in abating any violation of this title.
- (3) A penalty assessment or criminal conviction under this title does not relieve the person assessed or convicted from civil liability for claims arising out of any act which was also a violation.

Amended by Chapter 378, 2010 General Session