

73-5a-702 Civil penalties -- Costs -- Civil liability.

- (1) Any person who violates this chapter or any lawful notice or order issued pursuant to this chapter shall be assessed a penalty not to exceed \$5,000 per violation in a civil proceeding.
- (2) In the case of a continuing violation, each day that the violation continues constitutes a separate and distinct offense.
- (3) Any person who violates this chapter shall be liable for any expenses incurred by the state engineer in abating any violation of this chapter.
- (4) A penalty assessment under this chapter does not relieve the person assessed from civil liability for claims arising out of any act which was also a violation.

Enacted by Chapter 319, 1990 General Session