

§3111. Penalties**(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)**

1. Civil violation. A violation of this chapter by any person is a civil violation for which a fine of not more than \$100 may be adjudged.

[PL 2015, c. 166, §14 (NEW).]

2. Separate violations. Each day that a violation under subsection 1 continues or exists constitutes a separate offense.

[PL 2015, c. 166, §14 (NEW).]

3. (TEXT EFFECTIVE UNTIL 10/15/24) Container pickup. Notwithstanding subsection 1, a person who knowingly violates a provision of section 3106, subsection 8 commits a civil violation for which a fine of \$1,000 may be adjudged.

[PL 2015, c. 166, §14 (NEW).]

3. (TEXT EFFECTIVE 10/15/24) Container pickup. Notwithstanding subsection 1, a person who knowingly violates a provision of section 3106, subsection 8-A or the rules adopted pursuant to section 3106, subsection 8-A:

A. As a first offense, must receive a written warning from the department but does not commit a civil violation; and [PL 2023, c. 482, §31 (NEW); PL 2023, c. 482, §43 (AFF).]

B. As a second offense and any subsequent offenses, commits a civil violation for which a fine of \$1,000 may be adjudged. [PL 2023, c. 482, §31 (NEW); PL 2023, c. 482, §43 (AFF).]

Notwithstanding any provision of this subsection to the contrary, the department may exercise enforcement discretion in the event of unforeseen circumstances causing a violation of a provision of section 3106, subsection 8-A or the rules adopted pursuant to section 3106, subsection 8-A, including, but not limited to, extreme weather conditions and inability to provide for pickup due to a significant number of illness-related employee absences.

[PL 2023, c. 482, §31 (RPR); PL 2023, c. 482, §43 (AFF).]

SECTION HISTORY

PL 2015, c. 166, §14 (NEW). PL 2023, c. 482, §31 (AMD). PL 2023, c. 482, §43 (AFF).

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