

Article XV

Penalties

§31–15.1 Enforcement

A. Noncompliance Fees.

- (1) A person found to be in noncompliance with this Ordinance, regulations adopted under this Ordinance, the Forest Conservation Plan or the associated 2-year maintenance agreement shall be assessed by the Department the penalty of thirty cents (\$.30) per square foot of the area found to be in noncompliance with required forest conservation effort.
- (2) Money collected under Subsection A (1) of this article shall be deposited in the Forest Conservation Account as required by Article X of this Ordinance, and may be used by the Department for purposes related to implementing this Ordinance including afforestation and reforestation efforts.

B. Violation.

- (1) In addition to the provisions under Subsection A of this article, a person who violates a provision of this Ordinance or a regulation or order adopted or issued under this Ordinance is liable for a penalty not to exceed one thousand dollars (\$1,000), which may be recovered in a civil action brought by the Department.
- (2) Each day a violation continues, it shall be considered a separate violation.

C. The Department may seek an injunction requiring the person to cease violation of this Ordinance and take corrective action to restore or reforest an area.

D. The Town may adopt the enforcement provisions under COMAR 08.19.06.03.