**§3111. Penalties**

**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. 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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