

Rule 700 Enforcement and Penalties

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Rule 700

- 1 Enforcement:** The regulations and rules of the Colusa County Air Pollution Control District and all State statutes so authorizing and concerning air pollution controls shall be enforced by the Air Pollution Control Officer and any officer as authorized by the State and/or local law.
 - 1.1** This rule specifically includes inspectors and officers of the Colusa County Air Pollution Control District.
- 2 Penalties:** Penalties specified below and others provided in the California Health and Safety Code shall be used to enforce the provisions of these regulations:
 - 1.2** Any person who violates any provisions of the part of any order, rule or regulation of the district adopted pursuant to these regulations and rules is guilty of a misdemeanor. Every day during any portion of which such violation occurs constitutes a separate offense and civil penalties may be levied according to amounts allowed by the California Health and Safety Code.
 - 1.3** Any person who intentionally or negligently violates any order of abatement by the district shall be liable for a civil penalty not to exceed the amount allowed by the California Health and Safety Code for each day in which such violation occurs.
 - 1.4** The civil penalties prescribed by subsection b. and c. of this rule shall be assessed and recovered in a civil action brought in the name of the people of California by the district attorney. The attorney for the district or the Air Pollution Control Officer is authorized to enter into voluntary settlement in accordance with establishment procedures of the settlement program. In determining such amount the Air Pollution Control Officer shall take into consideration all relevant circumstances including, but not limited to the extent of harm caused by the violation, the nature and persistence of the violation, the length of time over which the violation occurs and corrective action, if taken by the defendant.
 - 1.5** An action brought pursuant to subsection c. of this rule to recover such civil penalties shall take special precedence over all other civil matters on the calendar of the court except those matters to which equal precedence on the calendar is granted by law.