

455B.146 Civil action for compliance local program actions.

If any order, permit, or rule of the department is being violated, the attorney general shall, at the request of the department or the director, institute a civil action in any district court for injunctive relief to prevent any further violation of the order, permit, or rule, or for the assessment of a civil penalty as determined by the court, not to exceed ten thousand dollars per day for each day such violation continues, or both such injunctive relief and civil penalty. Notwithstanding sections 331.302 and 331.307, a city or county which maintains air pollution control programs authorized by certificate of acceptance under this division may provide civil penalties consistent with the amount established for such penalties under this division.

[C71, § 136B.16; C73, 75, 77, 79, 81, § 455B.25]

C83, § 455B.146

86 Acts, ch 1245, § 1899, 1899B; 91 Acts, ch 251, §1

Former sections in ch 455B, division II, relating to animal feeding operations transferred to chapter 459 pursuant to legislative directive in 2002 Acts, ch 1137