§ 27-1809. Enforcement of this title.

1. Any person who violates the provisions of section 27-1805 of this title shall be liable for a civil penalty in the amount of fifty dollars for the first violation, one hundred dollars for a second violation committed within twelve months of a prior violation and two hundred dollars for a third or subsequent violation committed within twelve months of any prior violation.

2. Any retailer as that term is defined in section 27-1803 of this title, who violates the provisions of section 27-1807 of this title shall be liable for a civil penalty in the amount of two hundred dollars for the first violation, four hundred dollars for a second violation committed within twelve months of a prior violation, and five hundred dollars for a third or subsequent violation committed within twelve months of any prior violation.

3. Any battery manufacturer, as that term is defined in section 27-1803 of this title, who violates the provisions of section 27-1807 of this title shall be liable for a civil penalty in the amount of two thousand dollars for the first violation, four thousand dollars for a second violation committed within twelve months of a prior violation, and five thousand dollars for a third or subsequent violation committed within twelve months of any prior violation.

4. Civil penalties under this section shall be assessed by the commissioner after a hearing or opportunity to be heard pursuant to the provisions of section 71-1709 of this chapter, or shall be assessed by the court in any action or proceeding pursuant to this section. In addition to any civil penalties, any person, retailer or manufacturer, as those terms are defined in section 27-1803 of this title, may by similar process be enjoined from continuing such violation.

5. In a city with a population of one million or more, such city shall, in addition to any authority otherwise conferred in this chapter, have concurrent authority to enforce, by an agency or agencies designated for such purpose by the mayor of such city, the provisions of

section 27-1805 and subdivision one of section 27-1807 of this title. Any notice of violation issued by an agency designated by the mayor of such city charging a violation of section 27-1805 and subdivision one of section 27-1807 of this title shall be returnable to the environmental control board of such city. Such environmental control board shall have the power to impose the civil penalties set forth in subdivisions one, two and three of this section. All civil penalties collected for any violation of this title that have been imposed by the environmental control board of such city shall be paid into the general fund of such city. Such city shall share information with the department regarding enforcement, including notices of violation issued and penalties imposed and collected for violations in such city.