**§ 1342. Bathing places; violations; penalties; enforcement.** 1. Any person violating any of the provisions of section thirteen hundred forty-one of this chapter, shall forfeit and pay a penalty of not less than fifty dollars, nor more than two hundred dollars to be recovered by the sheriff of the county in which such violation is committed, except in the city of New York, when the penalty shall be sued for in the name of the department of health of the city of New York and collected by it.

2. A separate penalty may be recovered for each day that any person subject to the provisions of this section may violate any of the provisions of the same; but no penalty shall be recovered for any other violation thereof than shall have occurred during the days when the owner or lessee, or other person, maintaining the said bathing establishments, shall have kept the same open for the use of the public, or for such persons as may be the guests of any hotel with which such bathing establishments may be connected.

3. It shall be the duty of the sheriffs and constables of the several counties of this state abutting upon the seashore, to see that in their respective counties the provisions of this section are enforced, and to bring suit for the recovery of the penalty therein provided, unless some other person had already brought suit for the same.