

**§ 95-69.19. Violations; civil penalties; appeals.**

(a) Repealed by Session Laws 2024-3, s. 2.5, effective June 3, 2024.

(b) Any person who violates G.S. 95-69.18 shall be subject to a civil penalty not to exceed five hundred dollars (\$500.00) for each day any such boiler or pressure vessel is verified by an inspector to be operated or used in a condition considered to be a menace to public safety or an imminent danger.

(c) Repealed by Session Laws 2024-3, s. 2.5, effective June 3, 2024.

(d) The determination of the amount of the penalty by the Commissioner shall be final, unless within 15 days after receipt of notice thereof by certified mail with return receipt, by signature confirmation as provided by the U.S. Postal Service, by a designated delivery service authorized pursuant to 26 U.S.C. § 7502(f)(2) with delivery receipt, by electronic means to include an email address provided by the person to the Commissioner, with a delivery receipt, that will be effective to give the person notice of the violation, or via hand delivery, the person charged with the violation takes exception to the determination in which event the final determination of the penalty shall be made in an administrative proceeding and in a judicial proceeding pursuant to Chapter 150B of the General Statutes, the Administrative Procedure Act.

(e) The Commissioner may file in the office of the clerk of the superior court of the county where the violation occurred or where the person against whom a civil penalty has been ordered resides, or if a corporation is involved in the county where the corporation maintains its principal place of business, a certified copy of a final order of the Commissioner unappealed from, or of a final order of the Commissioner affirmed upon appeal. Upon filing of the final order, the clerk of superior court shall enter judgment in accordance with the order and notify the parties. The judgment shall have the same force and effect as a judgment by the superior court of the General Court of Justice. (2005-453, s. 11; 2007-231, s. 6; 2024-3, s. 2.5.)