

### **236.990 Penalties.**

- (1) It shall be unlawful for any person, firm, partnership, or corporation to operate in this state a boiler or pressure vessel without a valid certificate of inspection. The operation of a boiler or pressure vessel without a valid certificate, or at a pressure exceeding that specified in an inspection certificate, shall constitute a Class B misdemeanor on the part of the owner, user, or operator. Each day of unlawful operation shall constitute a separate offense.
- (2) Any person who violates the provisions of KRS 236.040(1); 236.080(4); 236.110(1), (4) and (5); 236.210(1); 236.220(1); 236.240(1) and (2); 236.250(1); or any proper order or administrative regulation made or promulgated thereunder; or who hinders or obstructs an authorized inspector in the performance of his or her duties under this chapter, shall be subject to the penalties in subsection (1) above.
- (3) Any person who willfully violates any provision of this chapter, or any administrative regulation, emergency order, or order of the state fire marshal, or an authorized deputy state fire marshal, or the chief boiler inspector, or of any authorized boiler or pressure vessel inspector, promulgated or made pursuant to this chapter, shall be subject to suspension or revocation of any appointment, commission, certification, registration, license, or permit made or issued by the department and held by that person, in accordance with the procedures specified in KRS 236.220, or in lieu of a suspension or revocation, shall be subject to an administrative fine of not less than ten dollars (\$10) and not exceeding five hundred dollars (\$500) after notice and hearing by the board in accordance with KRS 236.220. Each day these violations exist shall, in the discretion of the board, be considered as a separate violation.
- (4) As an aid to enforcement of the provisions of this chapter, or of any administrative regulation or order relating thereto, the state fire marshal or his or her authorized deputy or employee may take any administrative action or bring any legal action in the manner authorized in KRS Chapter 227 that is designed to prevent or correct any condition constituting or threatening to constitute a violation of any provision of this chapter.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 532, effective July 15, 2010. -- Amended 1996 Ky. Acts ch. 318, sec. 157, effective July 15, 1996. -- Amended 1980 Ky. Acts ch. 207, sec. 21 and 22, effective July 15, 1980. -- Created 1962 Ky. Acts ch. 89, sec. 13.