**Section 892.60 Civil Penalties for Unregistered Irrigation Contractors**

a) A person who practices, offers to practice, or holds himself or herself out to practice as an irrigation contractor without being registered under the provisions of the Law shall be issued a civil penalty under the following criteria:

1) First Offense

A) When no violations of the Illinois Plumbing Code are found, the person:

i) Shall pay a civil penalty of $1,000; and

ii) May be referred to the State's Attorney of the County or to the Attorney General for prosecution under Section 29 of the Law.

B) When violations of the Illinois Plumbing Code are found, the person:

i) Shall pay a civil penalty of $3,000. This amount may be reduced to $1,000 upon the condition that the unregistered person pays for a licensed plumber who is acceptable to the other party to the original contract or agreement to correct the violations of the Illinois Plumbing Code; and

ii) May be referred to the State's Attorney of the County or to the Attorney General for prosecution under Section 29 of the Law.

2) Second Offense

A) When no violations of the Illinois Plumbing Code are found, the person:

i) Shall pay a civil penalty of $3,000; and.

ii) May be referred to the State's Attorney of the County or to the Attorney General for prosecution under Section 29 of the Law.

B) When violations of the Illinois Plumbing Code are found, the person:

i) Shall pay a civil penalty of $5,000. This amount may be reduced to $3,000 upon the condition that the unregistered person pays for a licensed plumber who is acceptable to the other party to the original contract or agreement to correct the violations of the Illinois Plumbing Code; and

ii) May be referred to the State's Attorney of the County or to the Attorney General for prosecution under Section 29 of the Law.

3) Third and Subsequent Offenses. The person:

A) Shall pay a civil penalty of $5,000; and

B) Shall be referred to the State's Attorney of the County or to the Attorney General for prosecution under Section 29 of the Law.

b) A registered irrigation contractor, firm, corporation, partnership, or association, who directs, authorizes or allows a person to practice, offer to practice, attempt to practice, or hold himself or herself out to practice as an irrigation employee without being registered under the provisions of the Law, shall be issued a civil penalty under the following criteria:

1) First Offense. The person:

A) Shall pay a civil penalty of $5,000;

B) Shall be required to pay for a licensed plumber who is acceptable to the other party to the original contract or agreement to correct any violations of the Illinois Plumbing Code;

C) Shall have his or her plumbing license suspended; and

D) May be referred to the State's Attorney of the County or to the Attorney General for prosecution under Section 29 of the Law.

2) Second Offense. The person:

A) Shall pay a civil penalty of $5,000;

B) Shall be required to pay for a licensed plumber who is acceptable to the other party to the original contract or agreement to correct any violations of the Illinois Plumbing Code;

C) Shall have his or her plumbing license revoked; and

D) Shall be referred to the State's Attorney of the County or to the Attorney General for prosecution under Section 29 of the Law.

(Source: Amended at 38 Ill. Reg. 22222, effective November 12, 2014)