

# County Attorney's role in Enforcement

Kevin Costello

Deputy County Attorney

# Initial Actions

- Review case
- Pre-filing Letter (Depends on circumstances)
- File Complaint

# Relief Sought

- Injunctive Relief A.R.S. § 49-512
  - Seeks to compel or prevent an action
  - May be pursued separately or with an action for penalties
- Civil Penalties A.R.S. § 49-513
  - Max Penalty \$10,000 per day per violation
  - Multi-day Violations Rebuttable Presumption that Violation Continued Until Compliance Demonstrated

# Resolution Prior to Trial

- Settlement Remains an Option
  - Amount sought to settle likely higher than initial offer
  - Depending status of the action settlement may not include disclaimer or liability

# Judgment and Beyond

- Judgment will order some action to be taken or refrained from and/or payment of a penalty
- Money Judgments are a lien against property  
A.R.S. § 33-964
- Procedures for executing judgments ARCP 69