

# WEST VIRGINIA CODE: §16-35-13

## §16-35-13. Penalties and fines.

(a) The director may impose a civil penalty of not less than \$250 and not more than \$5,000 for each separate violation of this article or any rules promulgated hereunder. In any case where a person fails to halt work following the issuance of a cease and desist order by the director, the violation shall be presumed to be willful and the person shall be assessed a civil penalty by the director of not less than \$10,000 nor more than \$25,000 for an initial violation and not less than \$25,000 nor more than \$50,000 for each subsequent violation. Failure to pay a civil penalty imposed by the director within thirty days of receipt of notification constitutes a separate violation.

(b) Notwithstanding any other provision of this code, any person who violates any provision of this article or any rule promulgated hereunder is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$250, nor more than \$50,000, or confined in the county or regional jail not more than one year, or both fined and confined.