WEST VIRGINIA CODE: §16-9H-7

§16-9H-7. Administration and enforcement.

It shall be the duty of the commissioner to administer and enforce the provisions of the article, except as otherwise provided in this article.

(1) The commissioner shall perform the following duties:

(A) Receive and process all license applications;

(B) Endeavor to grant or deny the issuance of a vape or smoke shop license within 10 working days of receipt of a complete license application;

(C) Conduct investigations as necessary to determine compliance or conformance with or violation of this article;

(D) Abate any violation of this article;

(E) Seek the assistance of the office of the State Police, sheriff of the county, or the office of the prosecuting attorney of the county to abate or prosecute any violation of this article;

(F) Assist law enforcement officers to abate or prosecute any violation of this article;

(G) Provide information about this article upon the request of citizens and public agencies;

(H) Pursue enforcement of this article as it and other law provides; and

(I) Administer this article in all respects.

(2) No commission, board, agency, officer, or employee of the county shall issue, grant, or approve any permit, license, certificate, or any other authorization for any construction, reconstruction, alteration, enlargement, or relocation of any vape or smoke shop building or structure, or for any use of land or building, that does not comply with the provisions of this article.

(3) In administering this article, the standard rule of rounding numbers to the nearest whole shall apply. When the unit of measurement results in a fraction less than one-half or less than .5, the fraction shall be disregarded. When the unit of measurement results in a fraction of one-half or more, or .5 or over, the number shall be rounded up to the next nearest whole number.

WV Legislature