WEST VIRGINIA CODE CHAPTER 17 ARTICLE 19

WV Legislature

§17-19-1. Prohibited signs, etc.; removal at owner's expense.

No person shall paint, mark, post, tack, nail, or otherwise affix any sign, advertisement, notice, picture, drawing, emblem, poster, printing, or writing, other than those placed and maintained in pursuance of law, on or to any stone, rock, tree, fence, stump, post, pole, building, or other structure, which is in or upon the right-of-way of any public road or highway, including the road or highway itself, except that the commissioner may provide for suitable road signs, danger signals and other signs of informational nature. No such sign or other marking shall be suspended over the right-of-way of any public road or highway. These prohibitions include, but are not limited to, such devices which are intended to invite or draw attention of the public to the candidacy of any person for any public office; and any such device which exists in violation of the provisions of this section shall constitute prima facie evidence that the person whose candidacy appears thereon violated this section: Provided, however, That the installation and/or maintenance of newspaper, postal or mailboxes shall not be prohibited or affected by this section.

Any person violating this section, whether as principal, agent, or employee, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than $25 nor more than $100; and such person shall be deemed guilty of a separate offense for each day during any portion of which any violation of this section is committed or continued. Every such prohibited sign or other marking is hereby declared to be a public nuisance. Upon receiving notice of any violation of this section, the commissioner shall cause the prohibited sign or other marking to be removed within ten days and shall cause the appearance of the property on which it was affixed to be restored, as near as may be practicable, to its condition immediately before such violation occurred. The commissioner shall, in the name of the state, recover from the persons who hereafter violate this section the amounts expended by the state in removing the sign or other marking and in restoring the appearance of the property on which it was affixed.

The commissioner is empowered to remove any such prohibited sign or other marking in place upon or over any road taken over by him for construction or maintenance.

WV Legislature

§17-19-2. Travel on road under construction or closed to traffic; injury to road work, equipment or materials.

Any person who shall ride or drive upon any new roadbed or new repairs of any roadbed constructed or being constructed by or under the supervision of the state road commission or any county court before the same is open for traffic, and any person who shall remove any light or guard set up for the purpose of closing such road, or any part thereof, to traffic, and any person who shall otherwise maliciously injure or damage in any manner any road or highway built under the provisions of this chapter, either in the course of its construction or thereafter, or who shall maliciously injure or damage any work, equipment, material or structure used in connection therewith, shall be guilty of a misdemeanor, and, on conviction thereof, shall be fined not more than $100, or imprisoned not more than three months, or, in the discretion of the court, may be both fined and imprisoned.

WV Legislature

§17-19-3. Offenses affecting bridges.

Whoever shall obstruct or cause to be obstructed any walk or driveway to or upon any public bridge, or shall loiter upon or about the entrance to the same, or in anywise interfere with the gatekeeper or passengers upon such bridge, unless he be an officer acting in the discharge of his duty, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined $10.

WV Legislature

§17-19-4. Solicitations, assessments and receipts for political party funds by commission or personnel thereof unlawful.

It shall be unlawful for any commission member, the commissioner or any employee thereof, acting individually or by or through any organization, committee, corporation or other program or agency, to plan, promote, encourage or participate in any manner in the contribution, solicitation, assessment or receipt of any money, donation, contribution or gift of any kind or character for political party campaign or fund purposes or uses, when such money, donation, contribution or gift arises from, is related to, is measured by or is in any manner identified with a percentage, aliquot or fractional part or all of the daily, monthly or other salary, wages, pay or compensation of personnel and employees of the commission. A violation of the provisions of this section shall be cause for employment termination and dismissal of any commission member, the commissioner or employee guilty thereof and every such violation shall constitute a misdemeanor offense, upon conviction of which the guilty person shall be fined not exceeding $100 or imprisoned not exceeding thirty days, or be both fined and imprisoned within said limits.

WV Legislature

§17-19-5.

Repealed.

Acts, 1951 Reg. Sess., Ch. 129.

WV Legislature

§17-19-6.

Repealed.

Acts, 1951 Reg. Sess., Ch. 129.

WV Legislature

§17-19-7.

Repealed.

Acts, 1951 Reg. Sess., Ch. 129.

WV Legislature

§17-19-8. Unlawful to employ relatives on roads; exception.

It shall be unlawful for any county court, or any county engineer or supervisor, or district road superintendent, to appoint or employ, as a laborer on the public roads, the father, son, son-in-law, grandson, brother, brother-in-law, nephew or first cousin by blood of any member of such court or of such engineer or supervisor or superintendent; provided a sufficient amount of other efficient labor can be secured within the vicinity. Any person violating the provisions of this section shall be guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than ten nor more than $100.

WV Legislature

§17-19-9.

Repealed.

Acts, 1951 Reg. Sess., Ch. 129.

WV Legislature

§17-19-10.

Repealed.

Acts, 1951 Reg. Sess., Ch. 129.

WV Legislature

§17-19-11. False affidavit.

Any person who shall make a false affidavit, where an affidavit is required under any of the provisions of this chapter, shall, except as otherwise provided, be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not exceeding $1,000, or confined in the county jail not exceeding one year, or, in the discretion of the court of justice, both fined and imprisoned.

WV Legislature

§17-19-12. Unlawful display of insignia of motor club.

It shall be unlawful for any person to display upon a motor vehicle in this state the insignia or emblem of any motor vehicle club or similar organization, unless he shall be entitled to use the same under the Constitution, bylaws, rules or regulations of such club or organization. Any person violating the provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than $10 nor more than $50.

WV Legislature

§17-19-13. Miscellaneous offenses.

If any person, by himself or agent, without lawful authority so to do, shall destroy, injure or deface any of the guideboards, milestones or posts, parapets, walks, culverts, bridges, masonry of any kind, gates belonging to or forming a part of a public road, or tollhouses in connection with a bridge authorized by law to receive tolls thereon; or who shall wilfully break down or destroy any bench or log placed across a stream for the accommodation of travelers; or who shall injure any statue, monument, chair or other seat, or lamp or lamppost, constructed on or being in any way connected with a public road, space or part, or any railing or fencing erected for public use, or inclosing any such space or park, or any railing, posts or guards along a public road for the protection of travel thereon, or any walk or crossing for foot passengers; or who shall obstruct or injure any public road or ditch made for the draining thereof, or any of its sewers, curbing, gutters, drains or culverts; or who shall place or leave in a public road any ashes, cinders, earth, stone or other material, obstructive to the travel and use of such road; or who shall place or leave in any public road any vehicle or conveyance of any kind, or any kind of implement, so as to interfere with travel thereon; or who shall divert any stream of water from its regular course or channel so as to injure or endanger a public road; or who shall connect any road with a public road in such manner as to impede the flow of water in the ditches or gutters thereof or obstruct or impede travel hereon; or who shall throw or place, or cause to be thrown or placed, on any public road, any tacks, nails, scrap metal, glass, crockery, wire or other substance injurious to the feet of persons or animals, or the tires of vehicles; or who shall remove, injure or destroy any material or equipment used or intended for use in the construction, reconstruction, repair or maintenance of any public road; or who shall kill a tree and leave it standing within fifty feet of any public road; shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than ten nor more than $50, and shall moreover be liable to the state road commission, county court or individual, as the case may be, for any injury caused by such act.

The term "public road," as used in this section, shall include any street, alley or public highway.

WV Legislature

§17-19-13a.

Repealed.

Acts, 1951 Reg. Sess., Ch. 129.

WV Legislature

§17-19-13b.

Repealed.

Acts, 1961 Reg. Sess., Ch. 133.

WV Legislature

§17-19-14. Offense and punishment when not specifically defined or fixed.

Any person violating any of the provisions of this chapter, where such provisions make the violation thereof a crime without specifying the grade or fixing the punishment, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than five nor more than $50.

WV Legislature

§17-19-15. Concurrent jurisdiction of justices over misdemeanors.

Justices of the peace shall have concurrent jurisdiction with the circuit, criminal and intermediate courts to enforce the misdemeanor penalties prescribed by this chapter.

WV Legislature