3 (By Delegate Manypenny) [Introduced January 31, 2012; referred to the 4 5 Committee on the Judiciary then Finance.] 6 7 8 9 10 A BILL to amend the Code of West Virginia, 1931, as amended, by 11 adding thereto a new section, designated §8A-7-3a, relating to 12 specific authorization of governing board of counties and 13 municipalities to enact zoning ordinances that regulate drilling and hydraulic fracturing in the natural gas 14 15 horizontal well industry. 16 Be it enacted by the Legislature of West Virginia: That the Code of West Virginia, 1931, as amended, be amended 18 by adding thereto a new section, designated §8A-7-3a, to read as 19 follows: 20 ARTICLE 7. ZONING ORDINANCE. 21 §8A-7-3a. Zoning; natural gas horizontal wells. Notwithstanding any other code provision to the contrary, 22 23 governing boards of counties and municipalities have the authority

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- 1 to enact zoning ordinances to regulate drilling and hydraulic
- 2 fracturing of horizontal wells in order to protect the citizens
- 3 within their jurisdictions.

NOTE: The purpose of this bill is to provide counties and municipalities the specific authority to enact zoning ordinances that regulate drilling and hydraulic fracturing activity in the natural gas horizontal well industry.

\$8A-7-3a is new; therefore, it has been completely underscored.