

# **WEST VIRGINIA LEGISLATURE**

**2016 REGULAR SESSION**

**ENROLLED**

**Committee Substitute**

**for**

**House Bill 2801**

(BY DELEGATES ROWE, PUSHKIN, LYNCH, GUTHRIE AND BYRD)

[Passed March 8, 2016; in effect ninety days from passage.]



1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §7-1-3pp; and to amend said code by adding thereto a new section,  
3 designated §8-12-16d, all relating to permitting county commissions and municipalities to  
4 designate areas of special interest which will not affect the use of property in those areas;  
5 and setting forth their additional powers and responsibilities.

*Be it enacted by the Legislature of West Virginia:*

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new  
2 section, designated §7-1-3pp; and that said code be amended by adding thereto a new section,  
3 designated §8-12-16d, all to read as follows:

## **CHAPTER 7. COUNTY COMMISSIONS AND OFFICERS.**

### **ARTICLE 1. COUNTY COMMISSIONS GENERALLY.**

#### **§7-1-3pp. Additional powers and duties of commission; areas of special or unique interest.**

1 A county commission may designate areas of special or unique interest, with sites,  
2 buildings and structures within those areas, which are of local, regional, statewide or national  
3 significance. An area that has been so designated does not limit the use of nor require any  
4 alteration of any privately owned property in the area for any purpose. The commission may also  
5 publish a register setting forth information concerning those areas; place markers on private  
6 property only with the consent of the property owners; place markers on public property and along  
7 highways or streets designating those areas; seek and accept gifts, bequests, endowments and  
8 funds to accomplish the purpose of this section; sell, lease or alter property it owns in or near the  
9 designated areas; seek the advice and assistance of individuals, groups and departments and  
10 governmental agencies; and seek codesignation of areas with a municipality where an area is to  
11 be designated in each jurisdiction.

## **CHAPTER 8. MUNICIPAL CORPORATIONS.**

**ARTICLE 12. GENERAL AND SPECIFIC POWERS, DUTIES AND ALLIED  
RELATIONS OF MUNICIPALITIES, GOVERNING BODIES AND  
MUNICIPAL OFFICERS AND EMPLOYEES; SUITS AGAINST  
MUNICIPALITIES.**

**§8-12-16d. Additional powers and duties of municipalities; areas of special or unique  
interest.**

1           A municipality may designate areas of special or unique interest, with sites, buildings and  
2 structures within those areas, which are of local, regional, statewide or national significance. An  
3 area that has been so designated does not limit the use of nor require any alteration of any  
4 privately owned property in the area for any purpose. The municipality may also publish a register  
5 setting forth information concerning those areas; place markers on private property only with the  
6 consent of the property owners; place markers on public property and along highways or streets  
7 designating those areas; seek and accept gifts, bequests, endowments and funds to accomplish  
8 the purpose of this section; sell, lease or alter property it owns in or near the designated areas;  
9 seek the advice and assistance of individuals, groups and departments and governmental  
10 agencies; and seek codesignation of areas with a county commission where an area is to be  
11 designated in each jurisdiction.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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*Chairman, House Committee*

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*Chairman, Senate Committee*

Originating in the House.

In effect ninety days from passage.

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*Clerk of the House of Delegates*

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*Clerk of the Senate*

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*Speaker of the House of Delegates*

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*President of the Senate*

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The within ..... this the.....  
day of ....., 2016.

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*Governor*