

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

HOUSE BILL 2801

2015 Carryover

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

[Introduced January 13, 2016; referred to the
Committee on Political Subdivisions then the
Judiciary.]

1 A BILL 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 or any alteration of any
 4 property in the area for any purpose. The commission may also publish a register setting forth
 5 information concerning those areas; place markers on private property only with the consent of
 6 the property owners; place markers on public property and along highways or streets designating
 7 those areas; seek and accept gifts, bequests, endowments and funds to accomplish the purpose
 8 of this section; sell, lease or alter property it owns in or near the designated areas; seek the advice
 9 and assistance of individuals, groups and departments and governmental agencies; and seek
 10 codesignation of areas with a municipality where an area is to 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
2 and structures within those areas, which are of local, regional, statewide or national significance.
3 An area that has been so designated does not limit the use or any alteration of any property in
4 the area for any purpose. The municipality may also publish a register setting forth information
5 concerning those areas; place markers on private property only with the consent of the property
6 owners; place markers on public property and along highways or streets designating those areas;
7 seek and accept gifts, bequests, endowments and funds to accomplish the purpose of this
8 section; sell, lease or alter property it owns in or near the designated areas; seek the advice and
9 assistance of individuals, groups and departments and governmental agencies; and seek
10 codesignation of areas with a county commission where an area is to be designated in each
11 jurisdiction.

NOTE: The purpose of this bill is to permit county commissions and municipalities to designate areas of special interest which will not affect the use of property in those areas. The bill sets forth their additional powers and responsibilities.

These sections are new; therefore, they have been completely underscored.