

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

House Bill 4034

BY DELEGATES PACK AND COOPER

[Introduced January 08, 2020; 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 §7-1-3tt, relating to prohibiting outdoor amphitheaters from holding outdoor
 3 concerts later than 11:00 p.m. if the amphitheater is located within 500 feet of a residential
 4 dwelling.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. COUNTY COMMISSIONS GENERALLY.

§7-1-3tt. Authority for establishing noise abatement ordinance.

1 In addition to all other powers and duties now conferred by law upon county commissions,
 2 county commissions shall, by order duly entered of record, adopt and enforce, throughout the
 3 county or in any designated portion thereof, a noise abatement ordinance that limits outdoor
 4 amphitheaters from holding outdoor concerts later than 11:00 p.m. if the amphitheater is located
 5 within 500 feet of a residential dwelling.

NOTE: The purpose of this bill is to prohibit outdoor amphitheaters from holding outdoor concerts later than 11:00 p.m. if the amphitheater is located within 500 feet of a residential

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.