

H. B. 4329

(By Delegates Reynolds and Craig)
[Introduced January 24, 2014; referred to the
Committee on Political Subdivisions then Government
Organization.]

A BILL to amend and reenact §7-1-3 of the Code of West Virginia,
1931, as amended, relating to authorizing county commissions
to regulate parking on roads, ways, streets, avenues, drives
and the like where it is needed in unincorporated areas of the
county.

Be it enacted by the Legislature of West Virginia:

That §7-1-3 of the Code of West Virginia, 1931, as amended, be
amended and reenacted to read as follows:

ARTICLE 1. COUNTY COMMISSIONS GENERALLY.

§7-1-3. Jurisdiction, powers and duties.

The county commissions, through their clerks, shall have the
custody of all deeds and other papers presented for record in their
counties and the same shall be preserved therein, or otherwise
disposed of as now is, or may be prescribed by law. They shall

1 have jurisdiction in all matters of probate, the appointment and
2 qualification of personal representatives, guardians, committees,
3 curators and the settlement of their accounts and in all matters
4 relating to apprentices. They shall also, under the rules as now
5 are or may be prescribed by law, have the superintendence and
6 administration of the internal police and fiscal affairs of their
7 counties, including the establishment and regulation of roads,
8 ways, streets, avenues, drives and the like, and the naming or
9 renaming thereof, in cooperation with local postal authorities, the
10 Division of Highways and the directors of county emergency
11 communications centers, to assure uniform, nonduplicative
12 conversion of all rural routes to city-type addressing on a
13 permanent basis, bridges, public landings, ferries and mills, with
14 authority to lay and disburse the county levies. They shall have
15 superintendence of establishment and regulation of parking on
16 roads, ways, streets, avenues, drives and the like where it is
17 needed in unincorporated areas of the county. They shall, in all
18 cases of contest, judge of the election, qualification and returns
19 of their own members, and of all county and district officers,
20 subject to appeal as prescribed by law. The tribunals as have been
21 heretofore established by the Legislature under and by virtue of
22 section thirty-four, article VIII of the Constitution of 1872, for
23 police and fiscal purposes, shall, until otherwise provided by law,
24 remain and continue as at present constituted in the counties in

1 which they have been respectively established, and shall be and act
2 as to police and fiscal matters in lieu of the county commission
3 herein mentioned, until otherwise provided by law. And until
4 otherwise provided by law, the clerk as is mentioned in section
5 twenty-six of said article, as amended, shall exercise any powers
6 and discharge any duties heretofore conferred on, or required of,
7 any court or tribunal established for judicial purposes under said
8 section, or the clerk of the court or tribunal, respectively,
9 respecting the recording and preservation of deeds and other papers
10 presented for record, matters of probate, the appointment and
11 qualification of personal representatives, guardians, committees,
12 curators and the settlement of their accounts and in all matters
13 relating to apprentices. The county commission may not limit the
14 right of any person to purchase, possess, transfer, own, carry,
15 transport, sell or store any revolver, pistol, rifle or shotgun or
16 any ammunition or ammunition components to be used therewith nor to
17 so regulate the keeping of gunpowder so as to, directly or
18 indirectly, prohibit the ownership of the ammunition: *Provided,*
19 That no provision in this section may be construed to limit the
20 authority of a county to restrict the commercial use of real estate
21 in designated areas through planning or zoning ordinances.

NOTE: The purpose of this bill is to authorize county

commissions to regulate parking on roads, ways, streets, avenues, drives and the like where it is needed in unincorporated areas of the county.

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