

# **WEST VIRGINIA LEGISLATURE**

## **2020 REGULAR SESSION**

**Introduced**

### **House Bill 4047**

BY DELEGATES HOWELL, BIBBY, J. JEFFRIES, FAST,

WAXMAN, J. KELLY AND CADLE

[Introduced January 08, 2020; Referred to the  
Committee on Political Subdivisions then Government  
Organization]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §8A-11-3, relating to prohibiting zoning ordinances from disallowing  
 3 automotive collecting activities under certain circumstances.

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

**ARTICLE 11. SPECIAL PROVISIONS.**

**§8A-11-3. Activities of an automotive collector.**

1 (a) A governing body of a municipality or a county may not adopt or implement an  
 2 ordinance or land use regulation in any manner that prohibits a person from engaging in the  
 3 activities of an automotive collector in an area zoned by the municipality or county, so long as any  
 4 collector vehicles, including parts cars, maintained and stored by the collector are located out of  
 5 ordinary public view by means of inside storage, suitable fencing, trees, shrubbery, or otherwise.

6 (b) A person engaged in the activities of an automotive collector may conduct mechanical  
 7 repairs and modifications to a vehicle located out of ordinary public view on private real property.

8 (c) As used in this section:

9 “Automotive collector” means a person who collects and restores collector vehicles,  
 10 whether as a hobby or a profession.

11 “Ordinary public view” means within normal visual range by a person on a public street or  
 12 sidewalk adjacent to real property.

13 “Parts car” means an automobile that is not intended to be operated along streets and  
 14 roads, but is used to provide parts for the restoration of other automobiles.

NOTE: The purpose of this bill is to permit automotive collecting activities on residential property if conducted outside of ordinary public view.

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