

WEST VIRGINIA LEGISLATURE FILED

2016 REGULAR SESSION

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

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.]

HB 2801

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

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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.

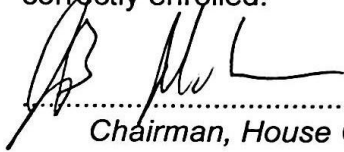
CHAPTER 8. MUNICIPAL CORPORATIONS.

**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.

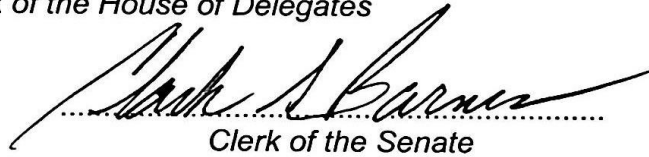

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Chairman, House Committee


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Chairman, Senate Committee

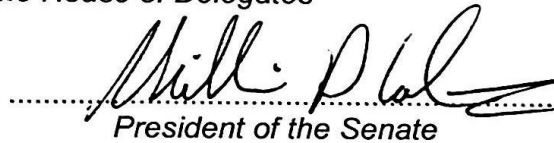
Originating in the House.

In effect ninety days from passage.

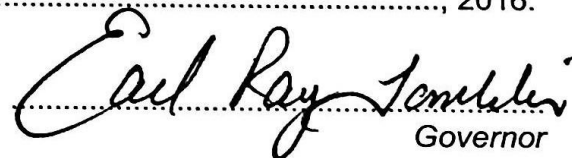

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Clerk of the House of Delegates


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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

The within is approved this the 16th
March
day of, 2016.


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Governor

PRESENTED TO THE GOVERNOR

MAR 11 2016

Time 2:55 pm