

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

House Bill 4079

BY DELEGATE HOWELL

[Introduced January 13, 2022; Referred to the
Committee on Technology and Infrastructure then the
Judiciary]

1 A BILL to amend and reenact § 7-1-3 of the Code of West Virginia, 1931, as amended, relating
2 to 911 addresses, requiring the county commissions to name all streets with one or more
3 landowner.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. COUNTY COMMISSIONS GENERALLY.

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

1 The county commissions, through their clerks, shall have the custody of all deeds and
2 other papers presented for record in their counties and the same shall be preserved therein, or
3 otherwise disposed of as now is, or may be prescribed by law. They shall have jurisdiction in all
4 matters of probate, the appointment and qualification of personal representatives, guardians,
5 committees, curators and the settlement of their accounts and in all matters relating to
6 apprentices. They shall also, under the rules as now are or may be prescribed by law, have the
7 superintendence and administration of the internal police and fiscal affairs of their counties,
8 including the establishment and regulation of roads, ways, streets, avenues, drives and the like,
9 and the naming or renaming thereof, in cooperation with local postal authorities, the Division of
10 Highways and the directors of county emergency communications centers, to assure uniform,
11 nonduplicative conversion of all rural routes to city-type addressing on a permanent basis,
12 bridges, public landings, ferries and mills, with authority to lay and disburse the county levies.
13 Rules made under this section shall require that all roads, ways, streets, drives, and the like,
14 which service one or more landowner shall be named. They shall, in all cases of contest, judge
15 of the election, qualification and returns of their own members, and of all county and district
16 officers, subject to appeal as prescribed by law. The tribunals as have been heretofore
17 established by the Legislature under and by virtue of section thirty-four, article VIII of the
18 Constitution of one thousand eight hundred seventy-two, for police and fiscal purposes, shall, until
19 otherwise provided by law, remain and continue as at present constituted in the counties in which
20 they have been respectively established, and shall be and act as to police and fiscal matters in

21 lieu of the county commission herein mentioned, until otherwise provided by law. And until
22 otherwise provided by law, the clerk as is mentioned in section twenty-six of said article, as
23 amended, shall exercise any powers and discharge any duties heretofore conferred on, or
24 required of, any court or tribunal established for judicial purposes under said section, or the clerk
25 of the court or tribunal, respectively, respecting the recording and preservation of deeds and other
26 papers presented for record, matters of probate, the appointment and qualification of personal
27 representatives, guardians, committees, curators and the settlement of their accounts and in all
28 matters relating to apprentices. The county commission may not limit the right of any person to
29 purchase, possess, transfer, own, carry, transport, sell or store any revolver, pistol, rifle or shotgun
30 or any ammunition or ammunition components to be used therewith nor to so regulate the keeping
31 of gunpowder so as to, directly or indirectly, prohibit the ownership of the ammunition: *Provided,*
32 That no provision in this section may be construed to limit the authority of a county to restrict the
33 commercial use of real estate in designated areas through planning or zoning ordinances.

NOTE: The purpose of this bill is to require all roads which service one or more landowner to be named.

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