

ASSEMBLY, No. 1131

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblywoman MURPHY and Assemblyman DeCROCE

1 AN ACT concerning county roads and amending R.S.27:16-13,
2 R.S.27:16-14, and R.S.27:26-15.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. R.S.27:16-13 is amended to read as follows:

8 27:16-13. If a county road is in danger of being damaged or
9 destroyed by tidewaters the board of chosen freeholders may by a
10 **[two-thirds] majority** vote, acquire by gift, purchase or condemnation,
11 lands and meadows adjacent to the road and maintain the banks along
12 such lands and meadows for the protection and preservation of the
13 road. If an income can be derived from any land so acquired it shall
14 be paid to the county treasurer. Condemnation proceedings, when
15 resorted to, shall be brought in accordance with the provisions of
16 article 2 of this chapter (§27:16-42 et seq.).

17 (cf: R.S.27:16-13)

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19 2. R.S.27:16-14 is amended to read as follows:

20 27:16-14. In lieu of acquiring lands and meadows under the
21 provisions of section 27:16-13 of this title, the board may, by a
22 **[two-thirds] majority** vote, contract with the owner, possessor or
23 holder of adjacent lands and meadows to maintain the banks and
24 ditches along, upon and over the adjacent lands or meadows for the
25 protection of county roads. The amount agreed upon as the county's
26 share for such maintenance shall be paid from the county funds
27 appropriated for road maintenance.

28 (cf: R.S.27:16-14)

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30 3. R.S.27:16-15 is amended to read as follows:

31 27:16-15. When a county road is not built and improved to its
32 authorized or full width and in the judgment of the board of chosen
33 freeholders it is desirable that it be so built and improved for the
34 accommodation of public travel, the board may, upon the affirmative

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 vote of [at least three-fourths] a majority of all its members, so build
2 and improve it.

3 If a street railway company has its rails laid on the road or any part
4 thereof, the board may enter into an agreement with the company
5 whereby the company, in consideration of the work being undertaken,
6 will bear and pay a portion of the cost thereof. If the road is crossed
7 by a steam railroad at grade the board may enter into an agreement
8 with the railroad company owning or operating such steam railroad
9 and the street railway company using the road, to change the grade of
10 the road or tracks of the steam railroad and abolish the grade crossing,
11 in the manner provided by law, and the funds for these purposes shall
12 be raised by the board in the manner provided by section 27:16-19 of
13 this title.

14 (cf: R.S.27:16-15)

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16 4. This act shall take effect immediately.

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21 Amends approval requirements for certain county road matters.