

SENATE, No. 136

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator JAMES W. HOLZAPFEL

District 10 (Ocean)

SYNOPSIS

Requires municipalities to reimburse qualified private communities for street paving costs.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning certain municipal services for qualified private
2 communities and amending P.L.1989, c.299.

3

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

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7 1. Section 2 of P.L.1989, c.299 (C.40:67-23.3) is amended to
8 read as follows:

9 2. a. Except as otherwise provided in subsection b. of this
10 section, the governing body of every municipality shall reimburse a
11 qualified private community for the following services as provided
12 in sections 4 and 5 of P.L.1989, c.299 (C.40:67-23.5 and C.40:67-
13 23.6) or provide the following services within a qualified private
14 community in the same fashion as the municipality provides these
15 services on public roads and streets:

16 (1) Removal of snow, ice and other obstructions from the roads
17 and streets;

18 (2) Lighting of the roads and streets, to the extent of payment
19 for the electricity required, but not including the installation or
20 maintenance of lamps, standards, wiring or other equipment; **[and]**

21 (3) Collection of leaves and recyclable materials along the roads
22 and streets and the collection or disposal of solid waste along the
23 roads and streets; and

24 (4) Paving, repaving, or otherwise improving or reimproving the
25 roads and streets or portion thereof.

26 b. Nothing in P.L.1989, c.299 (C.40:67-23.2 et seq.) shall
27 require a municipality to operate any municipally owned or leased
28 vehicles or other equipment, or to provide any of the services
29 enumerated in subsection a. of this section, upon, along or in
30 relation to any road or street in a qualified private community
31 which either (1) is not accepted for dedication to public use or (2)
32 does not meet all municipal standards and specifications for such
33 dedication, except for width.

34 c. The Director of the Division of Local Government Services
35 in the Department of Community Affairs, for the purpose of
36 calculating the allowable operating appropriations before
37 exceptions pursuant to section 2 of P.L.1976, c.68 (C.40A:4-45.2),
38 shall provide a cap base adjustment to the total general
39 appropriations of the local budget year prior to the year in which the
40 services are first provided by the municipality for the full amount
41 appropriated pursuant to P.L.1989, c.299 (C.40:67-23.2 et seq.).
42 (cf: P.L.1993, c.6, s.1)

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44 2. This act shall take effect immediately.

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

Matter underlined thus is new matter.

STATEMENT

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This bill would require municipalities to either pave, repave, improve, or reimprove roads and streets that have been accepted for dedication to public use or meet the municipal standards and specifications for dedication within a qualified private community or to provide reimbursement in lieu of providing the service.