

40:67-23.1

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40:67-23.1

(Garbage collection—residents of private streets—
municipal payment)

LAWS OF: 1983

CHAPTER: 12

Bill No.: S1448

Sponsor(s): Russo

Date Introduced: June 3, 1982

Committee: Assembly: Municipal Government

Senate: County and Municipal Government

Amended during passage: Yes // Amendments during passage
denoted by asterisks

Date of Passage: Assembly: Nov. 29, 1982

Senate: Sept. 23, 1982

Date of Approval: Jan. 19, 1983

Following statements are attached if available:

Sponsor statement: Yes // Below)

Committee statement: Assembly /// No

Senate Yes //

Fiscal Note: /// No

Veto Message: /// No

Message on Signing: Yes //

Following were printed:

Reports: /// No

Hearings: /// No

Sponsor's statement:

This bill allows municipalities to provide garbage collection services to
residents living on private streets, or to reimburse such residents for the cost of
such garbage collection.

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SENATE, No. 1448

STATE OF NEW JERSEY

INTRODUCED JUNE 3, 1982

By Senator RUSSO

Referred to Committee on County and Municipal Government

AN ACT to amend "An act concerning municipal services to certain streets which have not been designated as public highways, and the dedication thereof supplementing Title 40 of the Revised Statutes and repealing P. L. 1944, c. 35 and R. S. 40:150-1," approved October 27, 1975, P. L. 1975, c. 243.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Section 1 of P. L. 1975, c. 243 (C. 40:67-23.1) is amended to
2 read as follows:

3 1. The governing body of every municipality may make, amend,
4 repeal and enforce ordinances to cause the governing body of the
5 municipality to repair and maintain and provide for the removal
6 of snow, ice and other obstructions from, and provide for the
7 lighting of, any roads or streets upon which the travel is sufficient,
8 in the opinion of said governing body, to warrant such expendi-
9 tures, even though such roads or streets shall not have been taken
10 over by said municipal governing body or dedicated and accepted
11 as public highways. *The municipality may also provide for the*
12 *collection of garbage placed at the curb of such streets, or for the*
13 *reimbursement of *such* garbage collection costs *as the munici-*
13A *pality may determine to have been reasonably* incurred by persons*
14 *residing adjacent to such streets.* Roads or streets so serviced,
15 which are not shown on the official map of the municipality, may, at
16 the option of the governing body of said municipality, be suitably
17 improved in accordance with any requirements established pur-
18 suant to ***[the "Official Map and Building Permit Act (1953),"** P. L.

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 printed in italics thus is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Senate committee amendments adopted June 28, 1982.**

19 1953, c. 434 (C. 40:55-1.30 et seq.),] * *article 5 of the "Municipal*
20 *Land Use Law," P. L. 1975, c. 291 (C. 40:55D-32 through*
21 *40:55D-36)** and dedicated to the municipality, within 2 years
22 from the effective date of any ordinance adopted pursuant to the
23 provisions of this act.

1 2. This act shall take effect immediately.

SENATE, No. 1448

STATE OF NEW JERSEY

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21 adopted pursuant to the provisions of this act.

1 2. This act shall take effect immediately.

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STATEMENT

This bill allows municipalities to provide garbage collection service to residents living on private streets, or to reimburse such residents for the cost of such garbage collection.

SENATE COUNTY AND MUNICIPAL
GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 1448

with Senate committee amendments

STATE OF NEW JERSEY

DATED: JUNE 28, 1982

Senate Bill No. 1448 would permit municipalities, by ordinance, to provide garbage collection services to residents living along private roads, or to reimburse those residents for garbage collection costs incurred.

Under current law, municipalities may, by ordinance, provide for the repair and maintenance of private roads, for the removal of snow, ice and obstructions, and for street lighting. The present law does not provide for reimbursement to the residents living along private roads for costs incurred, privately, for these purposes.

The Senate committee amendments correct a citation in the existing law to P. L. 1953, c. 434 (C. 40:55-1.30 et seq.) which has been repealed, and substitutes a correct citation to the "Municipal Land Use Law," P. L. 1975, c. 91 (C. 40:55D-1 et seq.). The amendments also direct that the municipality may reimburse residents along private roads for such costs incurred as the municipality determines to be reasonable.

OFFICE OF THE GOVERNOR

RELEASE: IMMEDIATE

CONTACT: KATHERINE BROKAW

JANUARY 20, 1983

Governor Thomas H. Kean today signed the following bills:

SJR-19, sponsored by Senator James W. Bornheimer (D-Middlesex), designates Square Dancing as the official American Folk Dance of New Jersey. The square dance was made the National Folk Dance of the United States by the Federal government earlier this year.

S-1598, sponsored by Senator Wayne Dumont (R-Warren), allows boards of education to make two-year contracts to buy materials which are needed on a recurring basis. The contracts can be renewed every year for up to three years after the initial contract has expired, but the cost of the new contract may not be increased by more than 20 percent over the three-year period. This bill is one of several meant to carry out the recommendations of a report issued in July 1982 by the Commission on Business Efficiency of the Public Schools.

S-889, sponsored by Senator Wynona Lipman (D-Essex), amends statutes which deal with inheritance by children born out of wedlock. The bill defines a person as the child of his or her natural parents whether or not they were married, and is intended to clarify the laws governing inheritance by illegitimate children.

S-1952, sponsored by Senator Garrett W. Hagedorn (R-Bergen), establishes a special exemption from the municipal cap law for Ridgewood, because of legal expenses which the municipality will incur during a lawsuit against the Hackensack Water Company. The exemption only lasts for the calendar year 1983, and will allow the town to fit the legal fees into its budget.

S-1448, sponsored by Senator John F. Russo (D-Ocean), allows municipalities to collect garbage on private streets or to pay for such service; the bill is designed to permit towns to collect garbage from places like senior citizen communities and planned-unit developments.

S-981, sponsored by Senator Wayne Dumont (R-Warren), allows for military service to be given to a teacher who had been wrongly listed as a substitute teacher before his military service; military service credits apply only to permanent teachers.

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