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LEGISLATIVE HISTORY CHECKLIST

NJSA 40:48-2.48

Laws of 1974 Chapter 101

Bill No. S 485

Sponsor(s) Vreeland

Date Introduced Pre-filed

Committee: Assembly County Govt.

Senate County & Municipal Govt.

Amended during passage ~~Yes~~ No

Date of passage: Assembly July 11

Senate April 4

Date of approval September 16

Following statements are attached if available:

Sponsor statement ~~Yes~~ No

Committee Statement: Assembly Yes No

Senate Yes ~~No~~

Fiscal Note ~~Yes~~ No

Veto message ~~Yes~~ No

Message on signing ~~Yes~~ No

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

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10/4/76

JTB 1977

SENATE, No. 485

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1974 SESSION

By Senator VREELAND

AN ACT authorizing municipalities to acquire, construct and maintain sanitary sewerage facilities within the grounds of certain camp meeting associations, to appropriate moneys therefor, to assess the costs thereof on benefited properties, to issue bonds and notes therefor, and supplementing chapter 48 of Title 40 of the Revised Statutes.

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

1 1. Whenever any real property owned by and controlled by any
2 camp meeting association heretofore or hereafter incorporated
3 under any laws of this State shall lie within the territorial area
4 of any municipality, and said association, and the lessees of any
5 such real property pay taxes to said municipality based on assess-
6 ments and rates fixed by said municipality, and said lessees are
7 legal voters within said municipality, then, pursuant to a de-
8 termination by the governing bodies of said association and mu-
9 nicipality that said association is unable to provide proper
10 sewerage facilities with respect to said real property lying within
11 the boundaries of said municipality pursuant to chapter 96 of Title
12 40 of the Revised Statutes and that the provision of such facilities
13 would promote the health and safety of the inhabitants of said
14 municipality, said municipality, upon the request by resolution
15 of the board of trustees of said camp meeting association, may
16 provide sanitary sewerage facilities with respect to said real
17 property lying within said municipality by an extension of the
18 existing sanitary sewerage system of said municipality, as pro-
19 vided by agreement between said association and municipality.
20 Any such agreement or supplements thereto between said associa-
21 tion and municipality may provide for and relate to the original
22 acquisition or construction of such sanitary sewerage facilities
23 and the operation and maintenance and subsequent extensions to

24 and improvements of such facilities, and the costs and expenses
25 and any other matters of interest or concern to said municipality
26 and association with respect to the aforementioned and said sani-
27 tary sewerage facilities. Notwithstanding any other provision of
28 law, said municipality is and shall be authorized to assess all or
29 any part of the cost of construction of said sanitary sewerage
30 facilities upon the real estate lots or parcels of land benefited
31 thereby. Any such assessment by said municipality shall be made
32 in accordance with the provisions of chapter 56 of Title 40 of the
33 Revised Statutes of New Jersey for assessments for benefits. For
34 the purposes of such assessments, any leasehold interest with
35 respect to said real estate, lots or parcels of land owned by the
36 association having a term of duration equal to or exceeding 99 years
37 shall be deemed to be and to constitute real estate and shall be
38 assessed as such and the failure of any lessee to pay any such
39 assessment shall create a first lien thereon, paramount to all prior
40 or subsequent alienations, descents or encumbrances, except sub-
41 sequent taxes or assessments, notwithstanding any mistake in the
42 name or names of any lessee or lessees, or any omission to name
43 any lessee or lessees who are unknown, and notwithstanding any
44 lack of form therein, or in any other proceeding which does not
45 impair the substantial rights of the lessee or lessees or other person
46 or persons having a lien upon or interest therein. Any munici-
47 pality which shall undertake to provide sanitary sewerage facilities
48 pursuant to this act is expressly authorized to make appropriations
49 therefor, to acquire from said association all land, rights in land,
50 easements and rights-of-way necessary or convenient or desirable
51 therefor and to authorize and issue its bonds or notes therefor
52 pursuant to the provisions of the local bond law of New Jersey,
53 provided, however, that no down payment shall be required.

1 2. This act shall take effect immediately.

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SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO

SENATE, No. 485

STATE OF NEW JERSEY

DATED: APRIL 1, 1974

Senate Bill No. 485 authorizes any municipality to provide sanitary sewerage facilities to any camp meeting association with real property within the territorial area of said municipality, and to undertake any actions which may be necessary to effectuate such purposes.

Accordingly, whenever any camp meeting association, incorporated in the State, is unable to provide proper sewerage facilities pursuant to chapter 96 of Title 40 of the Revised Statutes, the municipality within which the real property of such an association lies, may provide, as an extension of the existing municipal system, the necessary sewerage facilities for any real property owned or controlled by any such association within the boundaries of the municipality.

In order to qualify for such assistance, the lessee of any such real property must already be paying, to the municipality receiving the request, taxes levied by said municipality; the lessees must also be legal voters within said municipality. Upon a determination by the governing bodies of said association and municipality that the camp meeting association is unable to provide proper sewerage facilities for any such real property and that such facilities would promote the health and safety of the inhabitants of the municipality, said municipality may, pursuant to a request by resolution of the board of trustees of said camp meeting association, provide such sanitary sewerage facilities within said property by an extension of the existing sanitary sewerage system of the municipality. The conditions under which such facilities shall be provided—relating to the original acquisition or construction, operation, maintenance, subsequent extensions or improvements of such facilities, including costs and expenses therefor—shall be set forth in an agreement concluded between the association and the municipality, and in any supplements thereto.

For its part, any municipality providing such sanitary sewerage facilities is hereby authorized to make the necessary appropriations therefor, or to use its powers to issue bonds or notes for such purposes,

to **acquire any necessary lands** or the rights thereto from the **association**, and to assess all or any part of the construction costs of such facilities upon the real estate lots or parcels of land so benefited, including any leasehold interest in real estate, lots or parcels of land owned by the association for a duration equal to or exceeding 99 years. Any such assessments of benefits, including the creation of tax liens, shall be made and collected in accordance with the provisions of chapter 56 of Title 40 of the Revised Statutes regarding local improvements undertaken by the municipality, rather than R. S. 40:96 et seq.