

LEGISLATIVE BILL 1131

Approved by the Governor April 16, 1986

Introduced by Hartnett, 45; Labeledz, 5

AN ACT relating to roads; to amend section 39-1405, Reissue Revised Statutes of Nebraska, 1943; to authorize the county to contract with certain incorporated associations of homeowners as prescribed; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 39-1405, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-1405. (1) All public streets of unincorporated villages are a part of the public roads and shall be worked and maintained by the respective county or township authorities.

(2) The county board of commissioners in counties having a population of sixty thousand inhabitants or more may, after the clearance of snow and ice from the county road system, clear snow and ice from all public streets of incorporated sanitary and improvement districts in the same manner as if such streets were part of the county road system.

Any county board performing such snow and ice clearance in a sanitary and improvement district shall not be held liable for any damages arising from such snow and ice clearance, unless damages arise as a result of gross negligence.

(3) The county board of commissioners in counties having a population of sixty thousand inhabitants or more may enter into contracts with incorporated associations of homeowners representing at least fifty individual housing units which are located wholly within the county and are not part of any sanitary and improvement district or incorporated municipality for the provision of road maintenance services or snow and ice removal services on nonpublic roads which serve the homeowner association. Such contracts shall provide for payment to the county of an amount which fairly represents the cost to the county of providing such additional services.

Sec. 2. That original section 39-1405, Reissue Revised Statutes of Nebraska, 1943, is repealed.