24-80

RESOLUTION

WHEREAS, a House Bill, H.B. 2021, reference title: Maintenance of County Roads, amending Section 18-207, A.R.S. providing that public funds may be used to maintain certain roads located in the counties of Arizona; and

WHEREAS, it is in the public interest to maintain certain public roads and streets other than legally designated county highways located without the limits of an incorporated city or town;

NOW, THEREFORE, BE IT RESOLVED by the Navajo County Board of Supervisors that the proposed amendment to Section 18-207, A.R.S. H.B. 2021 be, and is hereby supported for passage by the Second Regular Session of the 34th Legislature, State of Arizona, with the substitution of the following wording for Subsection B:

B. PUBLIC FUNDS MAY BE EXPENDED BY THE BOARD OF SUPERVISORS FOR COURTESY GRADER MAINTENANCE ONLY OF PUBLIC ROADS AND STREETS LAID OUT, CONSTRUCTED AND OPENED PRIOR TO AUGUST 13, 1972, OR PRIOR TO THE DATE OF IMPLEMENTATION OF SUBDIVISION REGULATIONS BY THE BOARD OF SUPERVISORS IF SUCH DATE IS LATER THAN AUGUST 13, 1972, EVEN IF SUCH ROADS AND STREETS WERE NOT CONSTRUCTED IN ACCORDANCE WITH SUBSECTION A OF THIS SECTION.

Navajo County Board of Supervisors

Norman W. Turley Chairman

ATTEST:

Connie J. Mazon

CLERK

STATE OF ARIZONA

34th LEGISLATURE

Second Regular Session

HOUSE

HB 2021

Introduced

January 14, 1980

REFERENCE TITLE: maintenance of county roads
FISCAL NOTE INDICATED

Prefiling date: November 29, 1979

Referred on January 14, 1980

Rules

Counties & Municipalities

Transportation

Introduced by Representatives Courtright and Lane: Bahill, Baker, Barr, Cajero, Carlson, Cooper, Denny, P. Dunn, Everall, Goudinoff, Guerrero, Hamilton, Hanley, Harelson, Hartdegen, Hull, Hungerford, Jeffers, Jennings, Jones, Jordan, Kenney, Kunasek, Lewis, McElhaney, Messinger, Morales, Ollson, Pacheco, Rosenbaum, Skelly, Soelter, Sossaman, Todd, Vukcevich, West, Wettaw, Wright; Senator Osborn

AN ACT

RELATING TO HIGHWAYS AND BRIDGES; PROVIDING THAT PUBLIC FUNDS MAY BE USED TO MAINTAIN CERTAIN COUNTY ROADS, AND AMENDING SECTION 18-207, ARIZONA REVISED STATUTES.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 18-207, Arizona Revised Statutes, is amended to read:

18-207. Maintenance of public roads and streets not within city or town

A. The board of supervisors may expend public funds for maintenance of public roads and streets other than legally designated state and county highways located without the limits of an incorporated city or town. Before expending public funds thereon, such roads or streets shall be laid out, opened and constructed without cost to the county, and fully completed in accordance with a plat approved pursuant to sections 11-802 and 11-806.01, and in accordance with standard engineering road specifications adopted by the county board of supervisors to insure uniform compliance.

B. PUBLIC FUNDS MAY BE EXPENDED BY THE BOARD OF SUPERVISORS FOR MAINTENANCE OF PUBLIC ROADS AND STREETS LAID OUT, CONSTRUCTED AND OPENED PRIOR TO AUGUST 13, 1972 EVEN IF SUCH ROADS AND STREETS WERE NOT CONSTRUCTED IN ACCORDANCE WITH SUBSECTION A OF THIS SECTION.

~~B.~~ C. Maintenance on public roads and streets shall not be construed to include purchasing or laying rock products, cement or petroleum product materials, except that maintenance on public roads and streets which are paved with cement or petroleum product materials may include seal coating and patching.

ARIZONA LEGISLATIVE COUNCIL

Summary Analysis of H.B. 2021 Reg. Sess.
(Maintenance of county roads)

Arizona Revised Statutes section 18-207 provides that county boards of supervisors may spend public funds to maintain public roads and streets which are not designated as state and county highways. In 1972, this section was amended to require that, before public monies can be spent on such roads, they must be built without cost to the county and in accordance with approved subdivision plats and standard engineering road specifications.

The 1972 amendments to Arizona Revised Statutes section 18-207 raised an issue concerning the expenditure of county funds to maintain roads that existed prior to 1972. As introduced, this bill would permit county boards of supervisors to spend public funds to maintain roads which were laid out, constructed and opened prior to the effective date of the 1972 amendments even if they were not constructed in accordance with the current requirements of Arizona Revised Statutes section 18-207.

DRT/DK
11/30/79