

**68-1103. County roads, bridges and culverts; construction and repair; costs, financing.** (a) Whenever the board of county commissioners of any county shall determine that it is necessary to build or repair any road, bridge or culvert, the board may appropriate an amount equal to its share and shall make all contracts for labor, material and all other expense necessary for the construction or repair of such work in the manner provided by law or may make and let a contract for the construction or the repair thereof, but the amount appropriated shall not exceed the county engineer's estimated cost to the county for the work.

(b) In any county where there has been constructed prior to the passage of this act or hereafter is constructed any road, bridge or culverts which shall have been destroyed or rendered impassable, or hereafter is destroyed or rendered impassable by flood, high water, fire or other casualty, or where there is any road, bridge or culvert determined by the board of county commissioners and the county engineer as unsafe or inadequate to meet the demands of present day traffic or where the board of county commissioners has made a determination under subsection (a), then such board of county commissioners immediately thereafter may construct, repair or reconstruct such road, bridge or culvert; may adopt a resolution finding and determining a necessity for such construction, repair or reconstruction and may proceed to construct, repair or reconstruct the same at a cost to be determined by the county engineer's estimate and shall appropriate a sufficient amount of money therefor. If there is not a sufficient amount of money therefor in the proper funds of the county, such board is hereby authorized and empowered to issue general obligation bonds of the county to pay:

(1) The costs for the construction, repair or reconstruction of such bridge or culvert under the provisions of this subsection. Any bonds issued pursuant to this subsection to pay the costs of such bridge or culvert work shall not be subject to any limitation on the bonded indebtedness of the county; or

(2) the costs for the construction, repair or reconstruction of any such road under the provisions of this subsection; except that no such bonds shall be issued until the board of county commissioners shall have published a resolution authorizing the issuance of such bonds once each week for three consecutive weeks in the official county newspaper. If within 60 days following the last publication of such resolution, a petition in opposition to the issuance of such bonds, signed by not less than 5% of the qualified electors of the county, is filed with the county election officer, no bonds shall be issued unless a majority of the electors voting on the question of issuing such bonds approve the same. Such election shall be called and held in the manner provided for the calling and holding of elections under the general bond law.

(c) The board of county commissioners may levy and collect taxes for the purpose herein named or for the purpose of retiring any bonds that have been issued.

**History:** L. 1917, ch. 80, § 3; L. 1919, ch. 98, § 2; L. 1920, ch. 8, § 1; L. 1923, ch. 4, § 1 (Special Session); R.S. 1923, 68-1103; L. 1939, ch. 243, § 1; L. 1941, ch. 312, § 1; L. 1943, ch. 240, § 1; L. 1947, ch. 344, § 1; L. 1951, ch. 389, § 1; L. 1971, ch. 223, § 1; L. 1972, ch. 248, § 5; L. 1978, ch. 273, § 1; L. 1986, ch. 255, § 1; L. 1988, ch. 272, § 1; L. 1998, ch. 111, § 1; July 1.