



General Assembly

January Session, 2013

Raised Bill No. 6637

LCO No. 4401



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING THE DISCONTINUANCE OF HIGHWAYS AND PRIVATE WAYS BY MUNICIPALITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 13a-49 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 The selectmen of any town may, subject to approval by a majority
4 vote at any regular or special town meeting, by a [writing] certificate
5 signed by them, discontinue any highway or private way, or land
6 dedicated as such, in its entirety, or may discontinue any portion
7 thereof or any property right of the town or public therein, except
8 when laid out by a court or the General Assembly, and except where
9 such highway is within a city, or within a borough having control of
10 highways within its limits. After any such certificate is duly signed
11 pursuant to this section, the selectmen shall give notice of such
12 discontinuance or partial discontinuance to each property owner
13 bounding the discontinued highway or private way, or land dedicated
14 as such, or portion thereof, in the manner prescribed in subsection (b)
15 of section 13a-73, and shall file a copy of such notice in the office of the

16 town clerk. Any person aggrieved by such discontinuance or partial
17 discontinuance may [be relieved by application] apply to the Superior
18 Court [, to be made and proceeded with] in the manner prescribed in
19 section 13a-62. Whenever a petition has been presented to the
20 selectmen for such discontinuance or partial discontinuance of any
21 land dedicated as a highway or private way but which has not been
22 actually used, worked or accepted, as a highway, by the town, and
23 such discontinuance or partial discontinuance has not been made by
24 the selectmen and approved by the town within twelve months after
25 such presentation, any person aggrieved may [be relieved by
26 application] apply to said court [, to be made and proceeded with] in
27 the manner prescribed in section 13a-62.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	13a-49

Statement of Purpose:

To clarify the process applicable to municipal discontinuance of highways or private ways, or land dedicated as such.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]