

TOWNSHIP ORGANIZATION: Relating to and defining county bridges and township bridges in counties under township organization.

February 9, 1934. 2-17-34



Mr. Edward G. Flint,
Pattonsburg, Missouri.

Dear Sir:

We acknowledge receipt of your letter of February 1, 1934, in which you state and inquire as follows:

"The Township Board of Cypress Township, Harrison Co., wish you would define the difference between a county bridge and a township bridge.

Is the township required to make the fills and approaches for county bridges?

Does the value of repairs on county bridges make any difference as to who repairs them, county or township?

I.

- (a) All bridges costing less than one hundred dollars to construct, in districts under township organization, are township bridges.
- (b) The building of fills and approaches to bridges constructed by county court in districts under township organization is a matter of contract with the county court.
- (c) Repairs costing less than twenty-five dollars, upon county bridges within the township, shall be made at the expense of the township Board of Directors.

Section 8164, R.S. Mo. 1929 provides as follows:

"The township board of directors shall construct and keep in repair all bridges in their district costing less than one hundred dollars; and shall make all necessary repairs, costing less than twenty-five dollars, upon bridges which are now or may hereafter be built within the township: Provided, whenever it shall be necessary in any road district for the township board to cause to be built a bridge, the cost of which exceeds twenty-five dollars, the board may, in its discretion, advertise for bids by giving at least fifteen days' notice, by five written notices, posted in as many public places in said township, or by publication in some newspaper published in the district of the time and place of letting the contract."

Section 8165, R.S. Mo. 1929 provides as follows:

"Whenever it shall be necessary in any township to build a bridge, the cost of which shall exceed one hundred dollars, the township board of directors shall make out and cause to be presented to the county court a certified statement of the amount of money necessary for the construction thereof, and, if deemed proper, the said county court shall cause the bridge to be built by contract as provided by law."

Sections 8164 and 8165, supra, appear to be self-interpreting; that is to say that the expense of all bridges costing in the construction thereof less than one hundred dollars, shall be borne by the township Board of Directors.

Under the same authority we rule that township boards of directors shall not only bear the expense of the construction of bridges costing less than one hundred dollars, but it is their duty to maintain them, as well as all bridges which have been or may

thereafter be constructed by the County Court in their district: provided, such repairs are less than twenty-five dollars.

The building of approaches and fills to bridges built by the County Court is a simple matter of contract for the Court.

Respectfully submitted,

W. W. BARNES,
Assistant Attorney General

APPROVED:

ROY McKITTRICK,
Attorney General

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