

RAILWAY AREA PAVING.

1914, ch. 37.

800C. That there is hereby imposed upon every corporation occupying with railroad or street railway track or tracks any portion of any public highway in Baltimore City which shall hereafter be paved or repaved with improved paving by the Paving Commission of Baltimore City, the State Roads Commission, the City Engineer, the Annex Improvement Commission, or any other public commission, board or agency, the obligation to pay for the cost of such paving within the space covered by any such railroad or railway track or tracks and for a distance of two feet outside of each outer rail of such track or tracks. The cost of the paving, as herein used, shall be construed to include the cost of the removal of the old cobble or other paving, and all excavation, ballasting, grading, concreting and other work involved in such paving. This obligation shall apply whether the entire street be paved with the same kind of improved paving or whether one kind be put outside of the railway area and a different kind within the railway area, provided, no more expensive material or construction be used in the railway area than is reasonably necessary, in the judgment of the Paving Commission or other agency doing such paving, for the proper construction of the paving of the entire street. The Paving Commission, or other public agency, having in charge the construction of such paving, may permit said corporation to do any part of the work within the railway area which said Commission or other agency may consider can be done by said corporation without detriment to the public welfare or the proper progress of the work. In order to give such corporation an opportunity to do any part or parts of the work which it may be authorized to do by said Commission or other agency, the said Commission or other agency, before beginning work upon any portion of a street occupied by a railroad or railway track or tracks, shall give to the corporation owning, operating and using such track or tracks reasonable notice of its intention to do such work and of the time when it proposes to begin such work on such street. The said Commission or other agency, shall keep an accurate account of the cost of the work, the obligation to pay for which is imposed by this Act upon any corporation.

The obligation hereby imposed shall be a lien upon the property of such corporation to the same extent as ordinary taxes against the property of such corporation, and may be enforced and collected by the same remedies used for the enforcement and collection of taxes, and payment thereof may be enforced by the Mayor and City Council of Baltimore by a suit at law or by any other remedy provided by any law or ordinance, and appropriate for said purpose. All said remedies shall be cumulative. The city, through its Paving Commission, or other Commission, board or agency doing such paving, may pay the cost of the paving in the railway or railroad area in the first instance, and in that event the said cost when paid by the railway or railroad corporation shall be credited