

provided for under this Act, and it may construct in any such street, road or alley or public highway, a water main, sewer or drain, or any appurtenance thereof, upon the receipt of a permit from the public authority having control thereof, but without the payment of a charge therefor, but in case the Chief Sanitary Engineer of the Metropolitan District and the Roads Engineer of Baltimore County do not agree as to the issuance of said permit, then the County Commissioners after hearing both Engineers shall decide and their decision shall be final in the matter. Said highway shall be repaired and left by the Commissioners in the same, or a not inferior, condition to that existing before being torn up, and that all costs incident thereto shall be borne by the Commissioners. The provisions of this section shall not apply to the properties, plants, franchises or rights of the Mayor and City Council of Baltimore or to any properties, plants, franchises and rights that may be hereafter acquired by the Mayor and City Council of Baltimore for the protection or enlargement of its water supply, sewerage, storm-water drainage or refuse disposal systems or any other of its utility properties.

1924, ch. 539, sec. 16. B. Co. C. (1928), sec. 342.

342. Whenever reference is made in this Act to "water supply, sewerage, and drainage systems," the same shall include all extensions of water or sewerage or drainage mains or pipes.

1924, ch. 539, sec. 17. B. Co. C. (1928), sec. 343.

343. Every public service corporation, company or individual before it or they shall begin any construction in any street, road, alley or public highway within the Metropolitan District, shall file with the Commissioners a plan of such construction showing the location and depth in such street, road, alley or public highway of the proposed main, conduit, pipe or other structure, which plan must be approved by the Commissioners before such construction is begun; and when approved no change shall be made in the physical location of anything shown upon said plan except upon the approval of the Commissioners. Whenever any public service corporation company or individual shall begin to put any such main, conduit, pipe or other structure in any such street, road, alley or public highway without first filing plans with the Commissioners and obtaining the approval thereof, as above provided, or shall, without the approval of the Commissioners, make any change in the location of such mains, conduit, pipe or other structure, as shown upon the plans approved by the Commissioners, or any approved change therein, such action shall constitute a misdemeanor, punishable as prescribed in Section 344 of this Article, and the Commissioners may, when any such main, conduit, pipe or other structure interferes with the construction or operation of their water or sewer systems or any of them, remove the same or change the location thereof. The provisions of this section shall not apply to the properties, plants, franchises and/or rights of the Mayor and City Council of Baltimore or to any properties, plants, franchises and rights that may be here-