

to be unconstitutional or invalid, such adjudication shall not affect or impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph or section thereof so found unconstitutional or invalid. If any clause, sentence, paragraph or section of this sub-title shall, for any reason, be adjudged by any court of competent jurisdiction to be unconstitutional or invalid, in any particular application, and the said clause, sentence, paragraph or section of this sub-title shall be constitutional and valid when otherwise applied, such adjudication shall not affect, impair or invalidate said clause, sentence, paragraph or section, but shall be confined to the particular application so found unconstitutional or invalid.

Water, Ice and Sewerage.

335.

This section is sufficient authority for State Health Department to assent to discharge of sewage into Spa Creek by City of Annapolis. *Cityco Realty Co. v. Annapolis*. 159 Md. 160.

An. Code, 1924, sec. 336. 1912, sec. 277. 1914, ch. 810, sec. 9.
1933 (Special Sess.), ch. 73.

336. The State, or any County, legally constituted public water, sewerage or sanitary district, or any municipality, upon which an order of the State Board of Health is served, shall, through its proper official or department, proceed to raise such funds as may be necessary to comply with such order within the time specified. When approved by the Governor and Attorney-General, any County, legally constituted public water, sewerage or sanitary district, or municipality may raise such funds, or any part of them, by issuing bonds, stocks or notes without prior legislative enactment; and the question of issuance of such bonds, stocks or notes shall not be required to be submitted to a vote of the people. The money made available by bonds, stocks or notes so issued shall constitute a sanitary fund, and shall be used for no other purpose than for carrying out the order or orders of the State Board of Health. At no time shall the total outstanding issue of such bonds, stocks or notes exceed two per cent. of the total value of all property within the limits of such County, district or municipality, as listed and assessed for taxation. The amount of bond, stock or note issue as allowed by this section may be in addition to the total indebtedness otherwise permitted by law. No public moneys shall be expended by the State, any County, legally constituted public water, sewerage or sanitary district for any of the purposes enumerated within this sub-title, unless such expenditure and the amount thereof has been approved by the State Board of Health. Said bonds, stocks or notes shall be forever exempt from State, County or municipal taxation. They shall be a lien upon all property within the jurisdiction issuing them.

348. Repealed by ch. 360 of the Acts of 1929.