

## CHAPTER 609.

(Senate Bill 122)

AN ACT to repeal and re-enact, with amendments, Section 35 of Article 66B of the Annotated Code of Maryland (1943 Supplement), title "Zoning and Planning", sub-title "Planning", sub-heading "Title V. General Provisions", as said section was amended by Chapter 808 of the Acts of 1945, eliminating Howard and Harford Counties from the list of counties exempt from said sub-title.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 35 of Article 66B of the Annotated Code of Maryland (1943 Supplement), title "Zoning and Planning", sub-title "Planning", sub-heading "Title V. General Provisions", as said section was amended by Chapter 808 of the Acts of 1945, be and it is hereby repealed, and re-enacted, with amendments, to read as follows:

35. (Conflict with Other Laws.) Wherever the regulations made under authority of this sub-title require a greater width or size of yards, courts, or other open spaces, or require a lower height of buildings or less number of stories, or require a greater percentage of lot to be left unoccupied or impose other higher standards than are required in any other statute or local ordinance or regulations, the provisions of the regulations made under authority of this sub-title shall govern. Wherever the provisions of any other statute or local ordinance or regulation require a greater width or size of yards, courts, or other open spaces, or require a lower height of building or a less number of stores, or require a greater percentage of a lot to be left unoccupied, or impose other higher standards than are required by the regulations made under authority of this sub-title, the provisions of such statute or local ordinance or regulation shall govern; provided, however, that within the limits of the Maryland-Washington Metropolitan District in Montgomery and Prince George's Counties—in which District there is now in effect city and regional planning and zoning, which are being administered by existing agencies under existing law—this sub-title shall be construed wherever possible as supplemental to Chapter 448 of the Laws of Maryland of 1927, as amended; and within the said District the several additional and supplemental powers or any of them vested by this sub-title in the "municipality", and/or the "council", shall be construed to be vested exclusively