

SEC. 12. *And be it further enacted*, That the Commissioners of Delmar may enter upon any county or municipal street, road or alley or any public highway other than State highway, for the purpose of installing, maintaining and operating the sewerage and drainage system provided for under this act, and it may construct in any such street, road or alley or public highway, a sewer or drain, or any appurtenance thereof by first obtaining a permit from the proper authorities without the payment of a charge; provided that whenever any county or municipal highway is to be disturbed the public authority having control thereof shall be duly notified, and provided, further, that said highway shall be repaired and left by the Commissioners of Delmar 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 of Delmar. When said Commission desires to enter upon any State highway for the purposes aforesaid it must first comply with the provisions of Section 37-A of Article 91 of the Code of Public General Laws of Maryland.

SEC. 13. *And be it further enacted*, That any individual, firm or corporation, having buildings, conduits, pipes, tracks or other physical constructions in, over or under the public roads, streets, or alleys of the town of Delmar, which shall block or impede the progress of the Commissioners' sewerage or drainage system while in the process of construction and establishment shall, upon reasonable notice from said Commissioners of Delmar promptly so shift, adjust, accommodate or remove the same, at the cost of the Commissioners, as to fully meet the exigencies occasioning the said notice, and should the exigencies of any case involve a taking, in the constitutional sense, of the franchise or right in the exercise of which such obstruction had its origin, the Commissioners of Delmar shall be empowered to condemn an easement in said franchise or right. Any violation of the provisions of this Section shall be a misdemeanor punishable under Section 15 of this act.

SEC. 14. *And be it further enacted*, That every act or omission designated as a misdemeanor in this act, unless otherwise provided shall be punishable before any Justice of the Peace, or the Circuit Court for Wicomico County and shall be brought by warrant or indictment upon the oath or information of any member of said Commissioners of Delmar or any employee thereof, and the offender shall, upon conviction, be subject to a fine not exceeding one hundred dollars or thirty days in the