

or any fire department, rescue squad or library when such land is acquired by gift; provided, however, that, whenever land has heretofore been or is hereafter acquired in such manner, no construction thereon or use thereof shall be hereafter commenced until after a public hearing as provided in Section 2-135 of this Code and approval of such construction or use by the county executive.

(b) In making a decision on the acquisition of land or improvements, the county executive shall consider the evidence of record at any public hearing, any exhibits therein, and all other proper facts, information and recommendations which he shall deem necessary to arrive at a decision in the best interest of the citizens of the county.

The provisions of this section shall not apply to acquisition of land by the county for roads, streets, alleys, sidewalks, walkways, bridges, drainage, or for land necessary for facilities and appurtenances in connection with such use.

Section 7. Severability.

The provisions of this Article are severable and if any provision, sentence, clause, section or part thereof is held illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of the Article or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Article would have been adopted if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included therein, and if the person or circumstances to which the Article or any part thereof is inapplicable had been specifically exempted therefrom.

Section 8. Effective date.

This Act shall take effect on December 7, 1970.

Chapter 37

(Bill No. 39-69)

An Act to amend Chapter 5, title "Certificates of Indebtedness," of the Montgomery County Code 1965, by repealing and re-enacting, with amendments, Section 5-4, title "Form, denomination; interest; maturity; exemption from state, etc., taxation"; and Chapter 88, title "Health and Sanitation," of the Montgomery County Code 1965, by repealing and re-enacting, with amendments, Section 88-6, title "Functions generally," to delete certain obsolete references to the Charter adopted for Montgomery County in 1948.

Be It Enacted by the County Council for Montgomery County, Maryland, that —

Section 1. Section 5-4, Chapter 5, title "Certificates of Indebtedness," of the Montgomery County Code 1965, is hereby repealed and re-enacted, with amendments, to read as follows: