

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 Act or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Act 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 Act or any part thereof is inapplicable had been specifically exempted therefrom.

*Section 5. Effective date.*

This Act shall take effect on the 76th day following its enactment.

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**Chapter 47**  
**(Bill No. 55-69)**

An Act to amend Chapter 11, title "Health and Sanitation", of the Montgomery County Code 1965, Section 11-11, title "Rules and regulations for collection or disposal," Section 11-13, title "Authority to establish service and disposal plants, contract for collection and removal, etc.," and repeal in its entirety Section 11-16, title "Dumps— Authority to purchase land for use as dump; payment of cost," to authorize the County Executive rather than Council to regulate, control and set fees to cover the cost of inspecting and licensing the collection and/or disposal of refuse, garbage, trash or junk; to authorize the County rather than Council to establish and maintain refuse disposal plants, license or contract for the collection and/or disposal of refuse, to contract for the construction and/or operation of disposal plants; to provide that the provision of service in one area by either the County or other board or agency shall serve to suspend the authority of other boards or agencies to provide such service in the same area; and to repeal as repetitive Section 11-16 authorizing the County to purchase property for use as a dump.

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

*Section 1. Section 11-11, Chapter 11, title "Health and Sanitation," of the Montgomery County Code 1965, is hereby amended to read as follows:*

11-11. Rules and regulations for collection or disposal.

Collection or disposal of garbage, trash, junk or other refuse shall be in accordance with such rules and regulations, which may include the imposition of reasonable fees to cover the cost of inspection and licensing, as the County Executive shall, from time to time, prescribe; provided, however, that no incorporated town or special taxing area shall be required to pay any fees for inspection and licensing.

*Section 2. Section 11-13, Chapter 11, title "Health and Sanitation," of the Montgomery County Code 1965, is hereby amended to read as follows:*

11-13. Authority to establish service and disposal plants, contract for collection and removal, etc.

(a) The County may:

(1) Establish and maintain such service and disposal plants as it may deem necessary or desirable for the collection and disposal of refuse, and fix the charges for such service;