

- 24-12. Same—Condemnation upon failure of owner to agree to purchase—Authority of city; condemnation under general law.

If the County shall be unable for any reason to agree with the owner of any land, the buildings or improvements thereon, or any interest therein, the use of which is required for any necessary public purpose or for the opening of any new road, street, alley or sidewalk, for construction or repair of any bridge, for the relocating, straightening or widening of any road, street, alley or sidewalk, the proper drainage thereof, for the building of any public building or structure, or for any other necessary public purpose, then the County may proceed to condemn the same for the use of the County under the provisions of the public general law relative to condemnation by corporations, municipal or otherwise.

SEC. 8. Section 24-14, Chapter 24, title "Streets and Roads," of the Montgomery County Code 1965, is hereby repealed and re-enacted, with amendments, to read as follows:

- 24-14. Same—Same—Applicability of powers and authority of County.

The powers and authority vested in the County by Section 24-12 shall apply to any land situated in any municipality or taxing area in the County, which shall be deemed necessary for public use.

SEC. 9. Section 24-16, Chapter 24, title "Streets and Roads," of the Montgomery County Code 1965, is hereby repealed and re-enacted, with amendments, to read as follows:

- 24-16. Franchises for use of street, etc.—Procedure for granting, hearing.

No franchise or right in relation to any highway, avenue, street, lane or alley, either on, above or below the surface of the same, shall be granted by the Council until the following provisions shall have been complied with:

(1) Application to be published. The application for such franchise or right shall be published by the applicant once a week for three successive weeks in one or more newspapers published in the County and having general circulation, stating the terms thereof and the compensation to be received therefor and setting forth the location, character and extent of the franchise sought.

(2) Inquiry as to value. Upon the first publication of such notice it shall be the duty of the County Executive or his designee to make diligent inquiry as to the money value of the franchise or right asked to be granted, and the adequacy of the compensation proposed to be paid for it.