

h. Any person violating or failing to comply with any of the provisions of this Section 84-33 shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to a penalty not in excess of \$1,000.00 or imprisonment not exceeding six months, or both such fine and imprisonment. Each violation shall constitute a separate offense. Such conviction shall not relieve any such person from the payment, or remittance of said tax.

SEC. 2. Severability.

The provisions of this Act 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 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.

SEC. 3. Emergency Legislation.

The Council hereby declares that an emergency exists and that this legislation is necessary for the immediate protection of public health and safety. Therefore, this Act shall take effect on the date on which it becomes law.

Effective: June 29, 1971

CHAPTER 53

(BILL NO. 20-71)

AN ACT to repeal and re-enact, with amendments, Section 11-11, Chapter 11, title "Health and Sanitation," and subsection 4. of Section 87-22, subtitle "Refuse Collection District"; and to add a new Article II, title "Refuse Disposal Service Charges," consisting of new Sections 87-23 through 87-29 to Chapter 87, title "Garbage and Refuse," Montgomery County Code 1965, as amended, to authorize the County Executive to make rules and regulations for the collection or disposal of garbage or other refuse unless otherwise prescribed by law; to provide that the County Executive shall fix charges annually for collection and disposal services within the Refuse Collection District unless otherwise prescribed by law; to establish a refuse disposal charge effective July 1, 1971, at the rate of \$5.00 per ton for all