

MONTGOMERY COUNTY

held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Act or their application to other persons and 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. Effective date.

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

Chapter 17

Bill No. 3-72

AN ACT to add a new Chapter 25A, title "Housing, Moderately Priced," to the Montgomery County Code 1972, to provide that any applicant who applies for a building permit for development or construction of 50 or more dwelling units at one location shall, prior to being issued a building permit, submit to the County Department of Environmental Protection a written statement in which the applicant shall agree that not less than fifteen percent (15%) of the number of dwelling units covered by a subdivision plat, by a plan of development or by a building permit as defined in the Act, and twenty percent (20%) of the number of dwelling units located in a Town Sector or Planned Neighborhood Zone, shall be moderately priced dwelling units; to define moderately priced dwelling units and to provide for redefinition by written regulation of the County Executive from time to time; to provide for a waiver of such requirement by the Montgomery County Planning Board or the Director of the County Department of Environmental Protection in unusual cases of hardship, or when prevented by law, or other good cause; to provide for a procedure for sale or lease of the dwelling units to good faith purchasers or renters for their own residence; to grant an option for purchase or rent of one-third of the units to the County Housing