

for the construction of wastewater treatment facilities, including delivery facilities, or for water supply and/or sanitary sewerage projects required for the correction of immediate health problems. Legislation enacted by the County pursuant to this section shall include, at a minimum, the procedure and requirements set forth in this section.

(b) Procedure. The following procedure shall take effect only after it is enacted as local legislation by the Montgomery County Council.

(1) Whenever, in the judgment of the Commission, land or interests in land located in Montgomery County is needed immediately in accordance with the County's adopted ten year water and/or sewerage plan and adopted capital improvements program for the construction of wastewater treatment facilities, including delivery facilities, or for water supply and sanitary sewerage projects required for the correction of immediate health problems, and good faith negotiations with the owner or owners of the property have failed, the Commission may adopt a resolution proposing taking of the land or interests in land. The resolution shall specify that immediate possession of the land or interests in land is required in accordance with the County's adopted ten year water and/or sewerage plan and adopted capital improvements program for the construction of wastewater treatment facilities, including delivery facilities, or for water supply and sanitary sewerage projects required for the correction of immediate health problems. This proposed taking applies only to land or interests in land. The Commission is expressly prohibited from using the option provided in this section for the acquisition of buildings or other structures.

(2) The Commission shall transmit its resolution to the County Executive and the County Council for Montgomery County. The County Executive shall submit promptly to the County Council his recommendations on the resolution. The County Council shall conduct a public hearing on the resolution promptly after receipt of the recommendations of the County Executive. The hearing shall be held only after at least 15 days' notice is given in at least two newspapers of general circulation in Montgomery County. In addition, written notice to the owner or owners of property which is the subject of the resolution shall be given at least 15 days prior to the hearing by certified mail.

(3) Following the public hearing, the County Executive and the County Council may approve or disapprove the resolution. Approval or disapproval by the County Executive shall be by letter to the Commission, the County Council and the owner or owners of property which is the subject of the resolution. Approval or disapproval by the County Council shall be by resolution, a copy of which shall be sent to the