

10-3. Removal of obstructions -- Generally.

All individuals, firms and corporations having buildings, conduits, pipes, tracks or other physical obstructions in, over or under the public roads, streets or alleys of the sanitary district, or of those portions of Montgomery and Prince George's counties outside of [said] THE district, which shall block or impede the progress of the commission's water supply, sewerage or drainage system, while in process of construction and establishment, shall, upon reasonable notice from [said] THE commission promptly so shift, adjust, accommodate or remove the same, at their own cost and expense as to fully meet the exigencies occasioning such notice; and should the exigencies of any case involve the taking, in the constitutional sense, of the franchise or right in the exercise of which such construction had its origin, the commission shall be empowered to condemn an easement in [said] THE franchise or right. Every public service corporation, company or individual, before it or they shall begin any underground construction in any street, road, alley or public highway within the sanitary district, shall file with the commission a plan of such construction showing the location and depth in such street, road, alley or public highway of the proposed main, conduit or pipe; which plans must be approved by the commission before such construction is begun; and when approved no change shall be made in the physical location of anything shown upon [said] THE plan except upon the approval of [said] THE commission. Whenever any such underground main, conduit or pipe is put in without the filing of plans with the [said] commission and the approval thereof, or when any change is made in the physical location of such underground main, conduit or pipe, as shown upon the plans approved by [said] THE commission, or any approved change therein, the commission may, when such conduit, main or pipe interferes with the construction or operation of its water and sewer systems, remove the same or change the location thereof at the cost and expense of the party so putting them in, or its successors, and without any liability upon the part of the commission for damage that might be done to the same by reason of the commission's operations in constructing or maintaining its systems. Any violation of the provisions of this section shall be a misdemeanor punishable under section [83-108] 18-7 of this [subtitle] ARTICLE.

10-4. Same -- Charges for permits, etc.

The Washington Suburban Sanitary Commission is hereby given authority to make a reasonable charge for a permit and for such engineering services as it is required to perform under the provision of section [83-107] 10-3.

10-5. Counties to reimburse one-half of cost of relocation, etc., of facilities.