

(C) (1) IN IMPLEMENTING SUBSECTION (A)(2)(II) OF THIS SECTION, THE LOCAL JURISDICTION MAY ENTER INTO AN AGREEMENT WITH INDIVIDUAL PROPERTY OWNERS UNDER WHICH THE LOCAL JURISDICTION AGREES TO ADVANCE FUNDS TO COVER THE PROPERTY OWNER'S COSTS FOR THE RELOCATION OF THE OVERHEAD LINES AND FACILITIES.

(2) (I) THE LOCAL JURISDICTION MAY APPROPRIATE FUNDS, LEVY TAXES, OR BORROW FUNDS TO PAY AND ADVANCE THE COSTS OF AN UNDERGROUND RELOCATION.

(II) THE LOCAL JURISDICTION ALSO MAY:

1. IN ORDER TO RECAPTURE EXPENDED COSTS, IMPOSE A BENEFIT ASSESSMENT AGAINST PROPERTY IN THE DISTRICT ON BEHALF OF WHICH THE UTILITY IS RELOCATED UNDERGROUND; AND

2. PROVIDE FOR THE COLLECTION OF THE ASSESSMENT.

[(c)] (D) [The provisions of § 7.03] SECTION 7.04 of this article [do] DOES not apply to [the provisions of] this section.

DRAFTER'S NOTE: In subsection (a)(1) of this section, the defined term "local jurisdiction" is substituted for the former reference to "county, municipal corporation, or Baltimore City" for consistency throughout the article.

In subsection (b) of this section, the defined term "local jurisdiction" is substituted for the former reference to "county, municipal corporation, or Baltimore City".

Subsection (c) of this section is transferred from the latter portion of former subsection (a)(2)(ii) of this section.

In subsection (c)(1) of this section, the defined term "local jurisdiction" is substituted for the former reference to "county or municipal corporation and Baltimore City" for consistency throughout the article.

8.17. Severability.

(A) The provisions of this subtitle are [severable, and if any of their provisions are] SEVERABLE.

(B) IF ANY PROVISION OF THIS SUBTITLE IS held unconstitutional by [any] A court of competent jurisdiction, the decision of [such court shall] THE COURT DOES not affect or impair any of the remaining provisions.

Adequate Public Facilities Ordinances

10.01. Authority to enact.

(a) [In order to] TO encourage the preservation of natural resources or the provision of affordable housing and to facilitate orderly development and growth, [any county or municipal corporation, including Baltimore City,] A LOCAL