

## MONTGOMERY COUNTY

FOLLOWING RECEIPT THEREOF. THE BOARD MAY, FOR GOOD CAUSE SHOWN, EXTEND THE TIME FOR SUCH ACTION UNLESS SUCH EXTENSION WOULD BE IN CONFLICT WITH ANY OTHER PROVISION OF LAW. ACTION BY THE BOARD ON A PROPOSAL OR APPLICATION SHALL BE IN ACCORDANCE WITH THIS SUB-CHAPTER, WITH ANY OTHER APPLICABLE PROVISION OF LAW, AND WITH SUCH RULES AND REGULATIONS AS THE COUNTY COUNCIL, SITTING AS THE COUNTY BOARD OF HEALTH, MAY ESTABLISH AFTER A PUBLIC HEARING THEREON. IN ACTING ON PROPOSALS AND APPLICATIONS PURSUANT TO THIS SECTION, THE BOARD SHALL CONDUCT SUCH PUBLIC HEARINGS AS MAY BE PRESCRIBED BY LAW OR BY RULE OR REGULATION OF THE COUNTY COUNCIL, SITTING AS THE COUNTY BOARD OF HEALTH.

(D) AFTER REVIEW AND ACTION BY THE BOARD ON A PROPOSAL OR APPLICATION SUBMITTED HEREUNDER, THE BOARD SHALL FORWARD SUCH PROPOSAL OR APPLICATION, TOGETHER WITH THE BOARD'S COMMENTS AND RECOMMENDATIONS THEREON, TO THE COUNTY EXECUTIVE WITH A COPY TO THE COUNTY COUNCIL. WITHIN FIFTEEN (15) DAYS FOLLOWING RECEIPT OF SUCH PROPOSAL OR APPLICATION FROM THE BOARD, THE COUNTY EXECUTIVE SHALL FORWARD THE PROPOSAL, OR APPLICATION WITH OR WITHOUT HIS COMMENTS, TO THE COUNTY COUNCIL SITTING AS THE COUNTY BOARD OF HEALTH, FOR ACTION. IN THE EVENT THE COUNTY EXECUTIVE FAILS TO FORWARD THE PROPOSAL OR APPLICATION WITHIN SUCH SPECIFIED TIME, THE COUNTY COUNCIL, AT THE EXPIRATION OF SUCH TIME, MAY CONSIDER THE PROPOSAL OR APPLICATION AS IF IT WERE FORWARDED BY THE COUNTY EXECUTIVE WITHOUT COMMENT.

(E) FOLLOWING RECEIPT OF THE PROPOSAL OR APPLICATION FROM THE EXECUTIVE, OR IF THE EXECUTIVE FAILS TO FORWARD SUCH PROPOSAL OR APPLICATION WITHIN THE TIME SPECIFIED HEREIN, THE COUNCIL, SITTING AS THE COUNTY BOARD OF HEALTH, SHALL ACT ON SUCH PROPOSAL OR APPLICATION IN ACCORDANCE WITH STATE LAW AND IN CONFORMANCE WITH SUCH PROCEDURES AS MAY BE ESTABLISHED BY THE COUNCIL PURSUANT TO THIS SUB-CHAPTER.

#### Section 4. 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, 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