

Chapter 1

GENERAL PROVISIONS

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[HISTORY: Adopted by the Town Commissioners of the Town of Perryville: Art. I, 12-6-83 as Res. No. 83-1. Amendments noted where applicable.]

ARTICLE I
ADOPTION OF CODE
[Adopted 12-6-83 as Res. No. 83-1]

§ 1-1. Reenactment of Charter.

Be it resolved by the commissioners of Perryville, Maryland, that the existing Charter of the Town of Perryville is hereby repealed, and a new Charter is hereby enacted, which consists of the section of the attached Code of the Town of Perryville entitled the “Charter”, being §§ C1-1 through C12-6 of said code, with § C13-1 through C13-8 added 4-7-1992 by Res. No. 92-1.

§ 1-2. Adoption of Code.

The Charter, the ordinances and certain resolutions of the Town of Perryville of a general and permanent nature, adopted by the Town Commissioners of the Town of Perryville, as revised, codified and consolidated into chapters and sections by General Code Publishers Corp., and consisting of the Charter and Chapters 1 through 85, together with an Appendix, all as attached hereto and designated the “Code of the Town of Perryville”, are hereby approved, adopted, ordained and enacted as the Code of the Town of Perryville, hereinafter known and referred to as the “Code”.

§ 1-3. Code to supersede prior ordinances.

This resolution and the code shall supersede all other general and permanent ordinances enacted prior to the enactment of this code, except such ordinances as are hereinafter expressly saved from repeal or continued in force. Upon adoption, this resolution will be included in the code as Chapter 1, General Provisions, Article 1, Adoption of Code.

§ 1-4. Copy of Code to be on file.

A copy of the code in loose-leaf form, serially numbered No. 1, has been filed in the office of the Town Clerk and shall remain there for use and examination by the public until final action is taken on this resolution; and, if this resolution shall be adopted, such copy shall be certified by the Clerk of the Town of Perryville by impressing thereon the seal of the Town, and such certified copy shall remain on file in the office of the Clerk of the Town, to be made available to persons desiring to examine same during all times while the code is in effect.

§ 1-5. Amendments to Code.

Any and all additions, amendments or supplements to the Code, when passed and adopted in such form as to indicate the intent of the governing body to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code of the Town of Perryville shall be understood and intended to include such additions and amendments. Whenever such additions, amendments or supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said code as amendments and supplements thereto.

§ 1-6. Code book to be kept up-to-date.

It shall be the duty of the Town Clerk, or someone authorized and directed by him, to keep up-to-date the certified copy of the book containing the Code required to be filed in his office for the use of the public. All changes in said Code and all ordinances adopted subsequent to the effective date of this codification, which shall be adopted specifically as part of the Code, shall, when finally adopted, be included therein by reference until such changes or new ordinances are printed as supplements to said code book, at which time, such supplements shall be inserted therein.

§ 1-7. Sale of Code books.

Copies of the Code book containing the Code may be purchased from the Clerk upon the payment of a fee to be set by resolution of the Town Commissioners, who may also arrange, by resolution, for procedures for the periodic supplementation thereof.

§ 1-8. Altering or tampering with Code; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Town of Perryville to be misrepresented thereby. Any violation of this section shall be punishable by misdemeanor, the penalty for which shall be a fine not to exceed five hundred dollars (\$500.) or imprisonment for a term not to exceed ninety (90) days, or both such fine and imprisonment.

§ 1-9. Severability of Code provisions.

Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or parts thereof.

§ 1-10. Repealer.

All ordinances or part of ordinances of a general and permanent nature adopted and in force on the date of the adoption of this ordinance and not contained in the Code are hereby repealed as of the effective date of this Adopting Ordinance, except as hereinafter provided.

§ 1-11. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 1-10 of this ordinance shall not affect the following ordinances, rights and obligations.

- A. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- B. Any offense or act committed or done before the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this ordinance brought pursuant to any legislative provision.
- D. Any franchise, license, right, easement or privilege heretofore granted or conferred.
- E. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place, or any portion thereof.
- F. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the city's indebtedness.
- G. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract or obligation.
- H. The levy or imposition of taxes, assessments or charges.
- I. The dedication of property or approval of preliminary or final subdivision plats.

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- J. Ordinances establishing the amount and manner of payment of salaries or compensation of officers and employees, establishing workdays and working hours of certain employees, providing personnel policies generally and providing for holidays and vacations for employees and keeping of employment records.
- K. Any legislation establishing regulations or maps pertaining to zoning or subdivision regulations.
- L. All legislation relating to taxation.

§ 1-12. Changes in previously adopted ordinances.

In compiling and preparing the ordinances for adoption and revision as part of the code, certain grammatical changes and other minor changes were made in one (1) or more of said ordinances. It is the intention of the Town Commissioner that all such changes be adopted as part of the Code as if the ordinances so changed had been previously formally amended to read as such.

§ 1-13. Effective date.

The aforesaid proposed Charter and Code of the Town of Perryville shall become and be considered effective according to the terms thereof on January 25, 1984, unless on or before January 15, 1984, there shall be presented to the Board of Commissioners or mailed to it by registered mail, a proper petition for referendum as permitted by law.

§ 1-14. Posting and publication requirements.

A complete and exact copy of this resolution shall be posted at the Town Hall for a period of at least forty (40) days following its adoption, and a fair summary of the Code, including the Charter therein, shall be published in a newspaper of general circulation in the Town of Perryville not less than four (4) times, at weekly intervals, within a period of at least forty (40) days after the adoption of this resolution.

§ 1-15. Mailing of copies of Code and Charter.

The Code, including the Charter therein, shall be mailed, by registered mail, return receipt requested, to the Department of Legislative Reference and the Clerk of the Circuit Court for Cecil County.

**ARTICLE II
Legislation Adopted During Codification**

[During the process of codification, certain complete new ordinances and resolutions were approved by the Town Commissioner for inclusion in the Code of the Town of Perryville. Such new legislation is noted in the histories of individual chapters as “Adopted....during codification; see CH. 1, General Provisions, Art. 11.” In accordance with recognized codification procedures, this new legislation will be adopted separately and is presently proposed before the Town Commissioners for that purpose. Upon final adoption of such legislation, a complete enumeration of all chapters and Articles in the Code included in such legislation will be printed in this Article along with specific dated of adoption. The enumeration appearing below lists each chapter affected by any such legislation adopted during codification.]

Chapter	Legislation No.	Adoption Date
Chapter 8, Financial Disclosure and Ethics	Res. No. 83-1	12-6-83
Chapter 30, Brush, Grass and Weeds	Res. No. 83-1	12-6-83
Chapter 36, Curfew	Ord. No. 83-1	3-1-83
Chapter 40, Dogs and Other Animals	Res. No. 83-1	12-6-83
Chapter 50, Garbage, Rubbish and Refuse	Res. No. 83-1	12-6-83
Chapter 59, Parades	Res. No. 83-1	12-6-83
Chapter 69, Snow and Ice Removal	Res. No. 83-1	12-6-83

**ARTICLE III
CHARTER AMENDMENTS**

[During the process of codification, certain changes were made to the Charter of the Town of Perryville. The substantive changes are noted in the history of the Charter as “amended during codification; see Ch. 1, General Provisions, Art. III.” Certain other no substantive changes, such as in numbering, grammar and punctuation, have also been made throughout the Charter. These substantive and no substantive changes have been accounted for in accordance with the requirements of Article 23A of the Annotated Code of Maryland by the adoption of Resolution No. 83-1 on 12-6-83. During the course of normal supplementation, specific dates of adoption will be inserted into the Charter where pertinent. The following section are those affected by said Resolution No. 83-1: §§ C1-1, C3-1 through C3-9, C4-1, C4-2, C4-4, C4-5, C5-2, C5-3, C5-6, C5-7, C5-9, C5-10C, C5-12, C5-14, C6-2 through C6-5, C6-

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8, C6-11, C6-15, C6-16, C6-18, C6-20, C7-1 through C7-3, C7-5, C9-6, C10-1, C10-2A and C, C11-2, C12-1, C12-2 and C12-3B.]