

CHAPTER 1

GENERAL PROVISIONS

ARTICLE I.

ADOPTION

1. The ordinances contained in the following Sections and Chapters are hereby ordained as General Ordinances of the Mayor and Council of Williamsport, and are adopted as **"THE CODE OF THE TOWN OF WILLIAMSPORT, MARYLAND"** and may be so cited.

2. Effective Date.

This code shall take effect from the date of its passage. All provisions of this Code shall be in full force and effect on and after said Effective Date, and all Ordinances of a general and permanent nature, not contained in this Code, are hereby repealed from and after said Effective Date, except as hereinafter provided.

3. Exceptions to General Repealing Clause.

The repeal provided for in the preceding Section of this Ordinance shall not affect any offense or act committed or done, or any penalty of forfeiture incurred or any contract or right established or occurring before the effective date of this Code; nor shall such repeal affect any Ordinance or Resolution promising or guaranteeing the payment of money by the Town or authorizing this issuance of bonds of said town or any evident of said Town's indebtedness or any contracts or obligation assumed by said Town; nor shall said repeal affect the administrative resolutions or policies of the Mayor and Council which are not ordinances and are not in conflict or inconsistent with the provisions of this Code; nor shall it affect any right or franchise conferred by any Ordinance or Resolution of the Mayor and Council on any person or corporation prior to the effective date of this Code.

ARTICLE II.

GENERAL LEGISLATION

1. Titles.

Titles or titling of the Sections of this Code printed in bold face type are intended only as references and description to summarize the contents or indicate the contents of the Chapter, Article, or Section, and shall not be deemed or interpreted to be a part of any Section, nor unless expressly so provided, shall they be so deemed when any Section, including its titling, is amended or re-enacted.

2. Repeal – Continuation of Ordinances.

The repeal of any Ordinance shall not revive any Ordinances in force before or at the time the Ordinance repealed took effect. The repeal of an Ordinance shall not affect any punishment or penalty incurred before the repeal took effect, nor any suit, prosecution, or proceeding pending at the time of the repeal, for an offense committed under the Ordinance repealed.

The provisions appearing this Code, so far as they are the same as those of Ordinances in existence at the effect date of this Code, shall be considered as continuation thereof and not as new enactments.

3. Definitions; Rules of Construction.

In the construction of this Code and of all ordinances, the following rules shall be observed unless such construction would be inconsistent with the manifest intent of the Mayor and Council or not consistent with the laws of the State of Maryland in legislative interpretation.

BOND – When a bond is required, an undertaking in writing shall be sufficient.

COMPUTATION OF TIME – The time within which an act is to be done shall be computed by excluding the first and including the last day; and if the last day be Sunday or a legal holiday, that shall be excluded.

COUNTY – Shall mean Washington County, Maryland and/or the Board of County Commissioners of Washington County, Maryland. All three terms are to be considered as synonymous.

GENDER – Words importing the masculine gender shall include the feminine and neuter.

JOINT AUTHORITY – All words giving a joint authority to three (3) or more persons or officers shall be construed as giving such authority to a majority of such persons or officers.

KEEPER AND PROPRIETOR – Shall mean and include persons, firms, associations, corporations, clubs and co-partnerships, whether acting by themselves or as a servant, agent or employee of same.

LIBER AND FOLIO – Shall mean document recorded in the office of the Clerk of the Circuit Court for Washington County, Maryland among the Acts, Ordinances and Resolutions for Incorporated Towns.

MAYOR AND COUNCIL – Shall mean the Mayor and Council of the Town of Williamsport as the duly constituted legislative body of the town. If used as the corporate name of the town same shall have the applicable meaning.

MONTH – Shall mean a calendar month.

NUMBER – Words used in the singular include the plural and the plural includes the singular number.

OATH – Shall be construed to include an affirmation or declaration in all cases in which, by law, and affirmation may be substituted for an “oath,” and in such cases the words SWEAR and SWORN shall be equivalent to the words AFFIRM and AFFIRMED.

OR, AND – Or may be read AND, and AND may be read OR, if the sense requires it.

OWNER – Applied to a building or land, shall include any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety, of the whole or of a part of such building or land.

PERSON – Shall include a corporation, company, partnership association or society as well as a natural person, or any legal entity of whatsoever nature or kind.

PERSONAL PROPERTY – Includes money, goods, chattels, things in action and evidences of debt.

PRECEDING, FOLLOWING – Shall mean next before, and next after, respectively.

PROPERTY – Property shall include real and personal property.

REAL PROPERTY – Real property shall include lands, tenements and hereditaments.

SIDEWALK – Shall mean that portion of a street between the curbline and the adjacent line intended for the use of pedestrians.

SIGNATURE or SUBSCRIPTION – Includes a mark when the person cannot write, his name being written near it and witnessed by a person who writes his own name as witness.

STATE – Shall be construed to mean the State of Maryland.

STREET – Shall include any public ways, roads, highways, avenues, alleys and lanes within the Town.

TENANT, OCCUPANT – Applied to a building or land, shall include any person who occupies the whole or a part of such building or land, whether alone or with others.

TIME – Words used in the past or present tense include the future as well as the past and present.

TOWN – Shall mean the Town of Williamsport, a municipal corporation and shall include the Mayor and Council if used in a corporate or legislative sense, in the County of Washington and State of Maryland, except as otherwise provided.

WRITING – Shall include printing.

YEAR – Shall mean a calendar year.

ARTICLE III.

GENERAL PENALTY

1. Any violation of the provisions of the Code of The Town of Williamsport, as adopted, and any other subsequent amendments or ordinances, shall be considered and hereby declared unlawful. Said violation(s) shall be and are hereby considered misdemeanors unless declared by the Mayor and Council of Williamsport to be a municipal infraction pursuant to the provisions of Article 23A of the Annotated Code of Maryland.
2. Whenever in such Code or ordinance the doing of any act is required or the failure to do an act is declared to be unlawful as set forth in each and every ordinance referred to and as set forth in these provisions, and where no specific penalties are provided therefore, the violator of any such provision of this Code or any ordinance shall be punished by a fine not exceeding one thousand (\$1000.00) dollars, and imprisonment for six (6) months or both in the discretion of the court, pursuant to the provisions of Article 23A, Section 3, Violations of Ordinances and Resolutions, as it now exists, or as may be amended from time to time.
3. Each day any violation of any provision of this Code or of any ordinance shall continue shall constitute a separate offense.

ARTICLE IV.

SEVERABILITY

1. It is hereby declared to be the intention of the Town of Williamsport that the sections, paragraphs, sentences, clauses and words of this Code are severable, and if any word, clause, sentence, paragraph, or section of this Code shall be declared to be unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity will not affect any of the remaining words, clauses, sentences, paragraphs and sections of this Code.

ARTICLE V.

MISCELLANEOUS

1. The provisions of this Code are in addition to and not in derogation of any federal, State or County acts, ordinances, statutes or regulations that may be applicable within the corporate limits of the Town of Williamsport.
2. In the event that there is any inconsistency in the application of any of the ordinances contained in this Code, then the ordinance providing for the strictest procedures or practices to be followed shall be applicable and take precedence over the more lenient.