

## Chapter 1

### GENERAL PROVISIONS

[HISTORY: Adopted by the Board of Commissioners of the Town of Thurmont: Art. I, 6-4-1986 as Res. No. 86-3. Amendments noted where applicable.]

#### ARTICLE I

##### Charter and Code Adoption

[Adopted 6-4-1986 as Res. No. 86-3]

##### § 1-1. Enactment of Charter.

Be it resolved by the Commissioners of Thurmont, Maryland that the existing Charter of the Town of Thurmont is hereby repealed, and a new Charter is hereby enacted, which consists of the section or the attached Code of the Town of Thurmont entitled the "Charter."

##### § 1-2. Adoption of Code.

The Charter, the ordinances and certain resolutions of the Town of Thurmont of a general and permanent nature, adopted by the Board of Commissioners of the Town of Thurmont, as revised, codified and consolidated into chapters and sections by General Code Publishers Corp., all as attached hereto and designated the "Code of the Town of Thurmont," are hereby approved, adopted, ordained and enacted as the Code of the Town of Thurmont, 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, Art. I, Charter and Code Adoption.

##### § 1-4. 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 Thurmont 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.

##### § 1-5. 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.

##### § 1-6. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in this resolution shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

A. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this resolution 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 resolution in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.

C. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this resolution 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 town'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.

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 and subdivision regulations.

L. All legislation relating to taxation.

#### § 1-7. 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 or more of said ordinances. It is the intention of the Board of Commissioners 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.

#### § 1-8. Effective date.

The aforesaid proposed Charter and Code of the Town of Thurmont shall become and be considered effective according to the terms thereof on June 4, 1986.