

## ARTICLE XI. GENERAL PROVISIONS.

### Section 83-85. Oath of office.

(a) Before entering upon the duties of their offices, the mayor, the councilmen, the clerk-treasurer, the members of the board of supervisors of elections, and all other persons elected or appointed to any office of profit or trust in the town government shall take and subscribe the following oath or affirmation: "I \_\_\_\_\_, do swear (or affirm, as the case may be), that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and laws thereof; and that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of \_\_\_\_\_ according to the Constitution and laws of this State."

(b) The mayor shall take and subscribe this oath or affirmation before his predecessor or before the clerk-treasurer. All other persons taking and subscribing the oath shall do so before the mayor. (Mont. Co. Code 1965, § 59-85.)

### Section 83-86. Official bonds.

The clerk-treasurer and such other officers or employees of the town as the council may require, shall give bond in such amount and with such surety as the council by resolution may require. The premiums of such bonds shall be paid by the town. (Mont. Co. Code 1965, § 59-86.)

### Section 83-87. Publication and notices.

Except as otherwise specifically required by state law, any publication or general notice required by this Charter or by state law shall be given (1) by publication in the Somerset Town Journal, which shall be mailed to all families residing in the town and to all nonresident owners of real property, or (2) at the option of the council by publication in a newspaper having general circulation in the town. The date of mailing any issue of the Somerset Town Journal, as evidenced by postmarks shall be deemed to be its date of publication. (Mont. Co. Code 1965, § 59-87.)

Section 83-88. Misdemeanors.

Every act or omission which, by ordinance, resolution, rule or regulation is made a misdemeanor under the authority of this Charter, unless otherwise provided shall be punishable upon conviction by the greater of (a) such penalties as may be authorized by state law, or (b) a fine not exceeding five hundred dollars or imprisonment for ninety days, or both, in the discretion of the court. The party aggrieved shall have the right to appeal as is now provided under the general laws of the State of Maryland. Where the act or omission is of a continuing nature and is persisted in, a conviction for one offense shall not be a bar to a conviction for a continuation of the offense subsequent to the first or any succeeding conviction. (Mont. Co. Code 1965, § 59-88; Reso. R-3-80, 6-24-80.)

Section 83-89. Prior rights and obligations.

All right, title, and interest held by the town or any other person or corporation at the time this Charter is adopted, in and to any lien acquired under any prior Charter of the town, are hereby preserved for the holder in all respects as if this Charter had not been adopted, together with all rights and remedies in relation thereto. This Charter shall not discharge, impair, or release any contract, obligation, duty, liability, or penalty whatever existing at the time this Charter becomes effective. All suits and actions both civil and criminal, pending, or which may hereafter be instituted for causes of action now existing or offenses already committed against any law or ordinance repealed by this Charter, shall be instituted, proceeded with and prosecuted to final determination and judgment as if this Charter had not become effective. (Mont. Co. Code 1965, § 59-89.)

Section 83-90. Effect of Charter on corporate status and on existing ordinances, resolutions, rules and regulations.

(a) Neither the adoption of this Charter nor any provision thereof shall be construed to alter or impair in any respect the continued corporate status and existence of the Town of Somerset as heretofore established.

(b) All ordinances, resolutions, rules, and regulations in effect in the town at the time this Charter becomes effective which are not in conflict with the provisions of this Charter shall remain in effect until changed or repealed according to the provisions of this Charter.

(c) All ordinances, resolutions, rules, and regulations in effect in the town at the time this Charter becomes effective which are in conflict with the provisions of this Charter shall be and the same hereby are repealed to the extent of such conflict (Mont. Co. Code 1965, § 59-90.)

Section 83-91. Amendments of Charter.

This Charter may be amended at any time by any of the methods and procedures permitted by the laws of the State of Maryland. (Mont. Co. Code 1965, § 59-91.)

Section 83-92. Saving clause.

The enumeration of particular powers in this Charter shall not be held or deemed to be exclusive, and the town shall have such other powers as are incident to those specifically mentioned or as are a necessary consequence of the powers mentioned or as are a necessary consequence of the powers herein conferred. In addition to the powers enumerated in this Charter, the town shall have all powers, rights and privileges now or hereafter granted by the Constitution and laws of the State of Maryland. (Mont. Co. Code 1965, § 59-92.)

Section 83-93. Separability.

If any section or part of section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which such section or part of section so held invalid shall appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply. (Mont. Co. Code 1965, § 59-93.)