

CHAPTER 10

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Article I. In General

Section 10-101. County Laws Applicable

The Town is hereby exempt from all legislation heretofore or hereafter enacted by Montgomery County, Maryland, except for the Chapters listed below. Any amendment by the County to such Chapters shall become effective within the Town to the extent not disapproved by the Town Council by Ordinance. Any repeal by the County of any provision(s) of any Chapter listed below or listed in Section 10-102 of the Town Code shall be effective to repeal such provision(s) within the Town unless an ordinance shall have been adopted by the Town Council expressly enacting such repealed provision(s).

- (a) Chapter 3, Air Quality Control
- (b) Chapter 3A, Alarms
- (c) Chapter 5, Animal Control, as modified by Somerset Code Sections 11-201 to 11-203 (Source: Ord. No. 2-91, eff. 4-9-91; Ord. No. 3-86, eff. 6-22-86; Ord. No. 6-84, eff. 12-3-84.)
- (d) Chapter 5A, Arts
- (e) Chapter 7, Bicycles

- (f) Chapter 8, Buildings, as modified and supplemented by Chapter 6 of this Code (Source: Ord.No. 2-89, eff. 4-24-89; Ord. No. 6-84, eff. 12-3-84.)
- (g) Chapter 8A, Cable Communications, as modified and supplemented by Somerset Code Sections 11-101 to 11-105 (Source: Ord. No. 2-91, eff. 4-9-91; Ord. No. 6-81, eff. 11-23-81.)
- (h) Chapter 11, Consumer Protection
- (i) Chapter 11A, Condominiums
- (j) Chapter 17, Electricity
- (k) Chapter 18, Elm Disease
- (l) Chapter 19, Erosion, Sediment Control and Stormwater Management (Source: Ord. No. 2-91, eff. 4-9-91.)
- (m) Chapter 21, Fire and Rescue Services
- (n) Chapter 22, Fire Safety Code
- (o) Chapter 23A, Group Residential Care Facilities
- (p) Chapter 26, Housing and Building Maintenance Standards (Source: Ord. No. 2-91, eff. 4-9-91.)
- (q) Chapter 27, Human Relations and Civil Liberties
- (r) Chapter 29, Landlord-Tenant Relations(s)
- (s) Chapter 30A, Montgomery County Municipal Revenue Program

- (t) Chapter 31, Motor Vehicles and Traffic, to the extent provided in Section 9-201 of this Code (Source: Ord. No. 2-89, eff. 4-24-89.)
- (u) Chapter 31B, Noise Control, as modified and supplemented by Chapter 11, Article III, of the Somerset Town Code (Source: Ord. 1-04, eff. 6/9/04; Ord. No. 2-91, eff. 4-9-91; Ord. No. 2-86, eff. 5-5-86.)
- (v) Chapter 31C, New Home Warranty and Builder Licensing (Source: Ord. No. 6-89, eff. 9-26-89.)
- (w) Reserved for Future Use (Source: Ord. No. 2-91, eff. 4-9-91.)
- (x) Chapter 34, Plumbing and Gas Fitting
- (y) Chapter 36, Pond and Excavation Safety Standards (Source: Ord. No. 2-91, eff. 4-9-91.)
- (z) Chapter 37, Public Welfare
- (aa) Chapter 40, Real Property
- (bb) Chapter 41A, Rental Assistance (Source: Ord. No. 2-91, eff. 4-9-91.)
- (cc) Chapter 44A, Secondhand Personal Property
- (dd) Chapter 47, Solicitors, Hawkers and Peddlers
- (ee) Chapter 49-21A, Covered Loads (Source: Ord. No. 2-91, eff. 4-9-91; Ord. No. 2-88, eff. 3-1-88.)

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- (ff) Chapter 49-30 to 49-44, Road Construction Code
(Source: Ord. No. 2-91, eff. 4-9-91.)
 - (gg) Chapter 57, Weapons
 - (hh) Section 59-B-2.1, Walls or Fences. (Source: Ord. No. 1-91, eff. 4-29-91.)
 - (ii) Article 59-F, Signs and Billboards, of Chapter 59, as modified and supplemented by Chapter 6, Article VII of this Code (Source: Ord. No. 8-91, eff. 7-15-91; Ord. No. 1-91, eff. 4-29-91; Ord. No. 5-90, eff. 4-23-90.)
 - (jj) Chapter 32, Sections 32-10 (Stalking), 32-12A (Graffiti), 32-13 through 32-17, inclusive (Loitering), and 32-19A (Harassment) only. (Source: Ord. No. 6-94, eff. 8-21-94; Ord. No. 7-93, eff. 9-8-93.)
- Source: Except where otherwise noted, Ord. No. 2-91, eff. 4-9-91; Ord. No. 6-84, § 2-101, eff. 12-3-84.

Section 10-102. Other Applicable County Laws

Notwithstanding the provisions of section 10-101, the following additional County legislation shall apply within the Town of Somerset:

- (a) Board of Health Legislation. Legislation enacted by the Montgomery County Council sitting as a Board of

Health for Montgomery County. As of the effective date of this Article, the following legislation enacted by the Montgomery County Council sitting as a Board of Health applies within the Town of Somerset:

- (1) Chapter 2, Division 7, Department of Health
- (2) Chapter 10, Group Day Care Centers (Source: Ord. No. 2-91, eff. 4-9-91.)
- (3) Chapter 15, Eating and Drinking Establishments
- (4) Chapter 24, Health and Sanitation: Section 24-1 and Sections 24-4 to 24-8 of Article I; Article III, Health Planning; Article IV, Mental Health; Article V, Local Alcoholism Advisory Council; and Article VI, Local Drug Abuse Advisory Council
- (5) Chapter 25, Hospitals, Sanitariums, Nursing & Care Homes
- (6) Chapter 27A, Individual Water Supply and Sewage Disposal Systems
- (7) Chapter 30B, Massage Establishments and Massage Technicians
- (8) Chapter 39, Rat Control
- (9) Chapter 44, Article III, Private Schools & Recreational Camps

(10) Chapter 46, Slaughterhouses

(11) Chapter 51, Swimming Pools

Source: Except where otherwise noted, Ord. No. 2-91, eff. 4-9-91.

(b) Tax and Revenue Legislation. Any Montgomery County law or regulation involving County revenue or taxation enacted pursuant to the provisions of Article 81 of the Annotated Code of Maryland, 1957, or legislation adopting the county budget.

(c) Laws Enacted by General Assembly. Any law enacted by the General Assembly which so provides.

Source: Ord. No. 6-84, § 2-102, eff. 12-3-84.

Section 10-103. Enforcement by County

Nothing contained in this Article shall limit or otherwise affect the Town's authority to request enforcement of Town legislation by Montgomery County and to enter into agreements providing for such enforcement.

Source: Ord. No. 6-84, § 2-103, eff. 12-3-84.