

**ORDINANCE NO. 2012-04**

Town of Rising Sun

Cecil County, Maryland

AN ORDINANCE OF THE TOWN OF RISING SUN, ("TOWN") CECIL COUNTY, MARYLAND, AMENDING AND ADDING LANGUAGE TO CHAPTER 2, TITLED ADMINISTRATION & GOVERNMENT OF THE CODE OF ORDINANCES OF THE TOWN OF RISING SUN, FOR THE PURPOSE OF ENSURING THAT THE GOALS, VISIONS AND OBJECTIVES OF THE BOARD OF COMMISSIONERS IS CARRIED OUT IN A TIMELY MANNER; AND TO REPEAL ANY AND ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH.

**WHEREAS**, the Town, located in Cecil County, Maryland is a municipality organized under and governed by Article 23A of the Annotated Code of Maryland; and

**WHEREAS**, the Town is proclaimed as a perpetual entity with the right to pass laws; and

**WHEREAS**, the Code of Ordinances of the Town, contains Chapter 2, titled ADMINISTRATION & GOVERNMENT, which establishes the general guidelines associated with the proper administration of affairs and business for the Town of Rising Sun, Maryland, in accordance with the Town Charter and other applicable Federal and State Laws; and

**WHEREAS**, this Chapter contains Article 1, titled BOARD ORGANIZATION AND PROCEDURE, which outlines the administrative processing of Town Meetings to includes quorums, order of business, processing of minutes, rules of debate and other rules of conduct; and

**WHEREAS**, this Article contains section 2-121 titled STYLE OF ORDINANCES, which outlines the style and confirmation of ordinances; and

**WHEREAS**, the Town desires to amend, modify and add additional language to this section, in order to ensure that the vision, goals and objectives of the Board of Commissioners are carried out as prescribed.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the Town Commissioners of the Town of Rising Sun, Cecil County, Maryland, and it is hereby enacted and ordained by its authority that Chapter 2 of the Town Code shall be modified as follows:

**SECTION 1**

Chapter 2 of this code contains Article 1 titled Board Organization and Procedure, which

contains section 2-121, titled Style of Ordinances which currently reads as:

*Section 2-121. Style of Ordinances*

*All ordinances passed by the Board of Commissioners should be prefaced by, "Be it Enacted and Ordained by the Commissioners of the Town of Rising Sun that..." Ordinances shall be signed by the Mayor and attested to by the Clerk-Treasurer.*

This section shall be modified as follows:

- a. The titled shall be modified to read as:

*Section 2-121. Confirmation of Ordinances and Resolutions.*

- b. The last sentence starting with the word "Ordinances" shall be deleted and replaced to read as follows:

*Ordinances and Resolutions approved and adopted by the Board of Commissioners shall be confirmed by signature of the Mayor or Vice Mayor and attested to by the Town Clerk.*

SECTION 2.

All ordinances or parts thereof inconsistent herewith are repealed, rescinded, canceled and annulled.

SECTION 3.

Should any provision, section, paragraph or subparagraph of this Ordinance, including any code or text adopted hereby, be declared null and void, illegal, unconstitutional, or otherwise determined to be unenforceable for a court having jurisdiction, the same shall not affect the validity, legality, or enforceability of any other provision, section, paragraph or subparagraph hereof, including any code text adopted hereby. The Town of Rising Sun hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared null and void, illegal, unconstitutional, or otherwise determined to be unenforceable. Each such provision, section, paragraph or subparagraph is expressly declared to be and is deemed severable.

SECTION 4.

That nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby



repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 5.

That the Rising Sun Town Clerk is hereby ordered and directed to cause this ordinance to be published in a newspaper in general circulation.

SECTION 6.

**NOW THEREFORE BE IT FURTHER RESOLVED** that this ordinance was introduced as an emergency ordinance as provided for in the Town Code, on this 28<sup>th</sup> day of August, 2012, and shall take effect immediately upon adoption on this 28<sup>th</sup> day of August, 2012.

SECTION 7.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Mayor and Commissioners of the Town of Rising Sun passed, approved and adopted this ordinance on this 28<sup>th</sup> day of August, 2012

AYES: COMMISSIONER OSBORNE, COMMISSIONER NAUGHTON, COMMISSIONER BERKOWICH,  
COMMISSIONER MARION

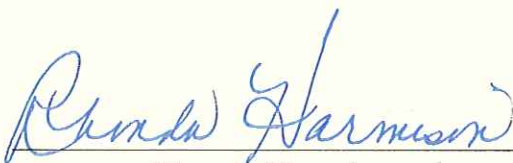
NAYS: \_\_\_\_\_

ABSTAINED: \_\_\_\_\_

ATTEST:

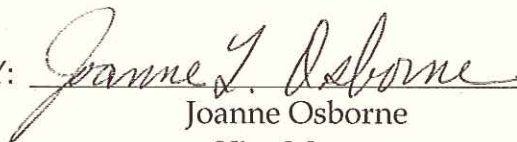
ON BEHALF OF  
THE MAYOR AND COMMISSIONERS  
OF THE TOWN OF RISING SUN

BY:



Rhonda Harmison  
Town Clerk

BY:



Joanne Osborne  
Vice Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

THIS 28<sup>th</sup> DAY OF AUGUST, 2012

BY:

A handwritten signature in dark ink, appearing to read "Jack A. Gullo, Jr.", is written over a horizontal line.

Jack A. Gullo, Jr., - Town Attorney

