

Chapter 1
GENERAL PROVISIONS

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[HISTORY: General provisions adopted 1-20-54, effective 2-1-54, as Article I. Codification as Chapter 4 adopted 2-7-66. Revised and restated in its entirety 11-7-94, effective 1-1-95, as Chapter 1. Amendment to effect name change throughout code adopted and made effective 8-5-99. Subsequent Amendment history noted where applicable.]

§ 1-1. Adoption of Code.

Be it ordained by the Mayor and Council of the Town of Riverdale Park* this 7th day of November, 1994, that this Code, as revised hereinafter, be accepted and adopted as the Code of the Town of Riverdale Park, Maryland, hereinafter, "Code," to take effect January 1, 1995, from which date all ordinances or parts of ordinances in conflict with this Code are hereby repealed, provided that such repeal shall not affect ordinances on subjects not included in this codification or prosecutions under any prior ordinances pending in any court when this Code shall take effect.

A copy of the Code subscribed by the Mayor and members of the Council and duly attested by the Town Administrator shall be deposited with the Town Administrator to be safely kept and preserved as and for the original of the ordinances. It shall also be the duty of the Town Administrator to preserve with the text of the original copy of the Code a copy of all future ordinances amending, repealing, enacting, or reenacting any section or provision of the Code.

*Formerly Town of Riverdale, name changed to Town of Riverdale Park by charter amendment effective September 7, 1998; name change amendment to ordinance effective August 5, 1999.

§ 1-2. Interpretation of terms; designation of Code provisions. [Amended 3-6-95, effective 3-26-95.][Amended 6-6-16, effective 6-26-16]

(a) This Code may be cited as the "Riverdale Park Ordinance Code" or the "Riverdale Park Code" or the "Riverdale Park Town Code." It shall be sufficient to refer to any provision of this Code by citation to the appropriate chapter, part, article, section, subsection, paragraph, and clause, as appropriate, whenever any of its provisions shall be referred to in any amendment thereof, or whenever any of its provisions shall be referred to in any proceeding or prosecution for the enforcement thereof. Wherever the masculine is referred to herein the reference shall include the feminine gender except where such reference would be unreasonable. Wherever the singular is used it shall include the plural except where such construction would be unreasonable. The terms indicated below shall include the following meanings:

"Person" -- shall include individuals, firms, partnerships, associations, and corporations.

"Street" -- shall include each and every place commonly known as a street, alley, highway, roadway, or public space.

"Sidewalk" -- except where such construction would be unreasonable, shall include sidewalks, whether improved or not, and footpaths and walkways for pedestrian travel along streets, roadways, and on public property.

"Vehicle" -- shall include all horse-drawn vehicles and all vehicles propelled by steam, electricity, gasoline, oil, solar, or other power.

"Town," "Town of Riverdale Park," "Mayor and Council," or Mayor and Town Council" - - shall be construed as meaning the municipal corporation chartered as the "Town of Riverdale Park" under the Local Government Article of the Annotated Code of Maryland and the laws of the State of Maryland, as amended and supplemented, except where such construction would be unreasonable. The offenses defined herein shall mean those committed within the corporate limits of the Town of Riverdale Park.

Town Manager – whenever the Town has a Town Manager in lieu of a Town Administrator, the term “Town Administrator” as used in this code and resolutions shall mean and refer to the Town Manager.

(b) Designation of Code provisions. The provisions of this Code are designated by the appropriate chapter, section, and sub classification number. Each section of the Code shall be preceded by a number consisting of two component parts separated by a dash. The figure before the dash refers to the chapter number and the figure after the dash refers to the position of the section within the chapter. In addition, a uniform system of designating the sub classifications within sections shall be utilized as exemplified below:

1-1 -- section

1-1(a) -- subsection

1-1(a) (1) -- paragraph

1-1(a) (1) (A) -- subparagraph

1-1(a) (1) (A) (I) -- clause.

§ 1-3. Enforcement.

Except where otherwise specified in a particular chapter of this Code, the provisions of this Code shall be enforced by the town code enforcement officer and/or the town police department, who shall have a reasonable right of access and entry at reasonable hours onto any property within the town limits for the purpose of discharging their duties.

§ 1-4. Effect of partial invalidity.

If any provision or portion of this Code be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remainder of the Code.

§ 1-5. Penalties. [Amended 3-6-95, effective 3-26-95.]

(a) Any person violating any provision of this Code for which no specific penalty has been provided shall, upon conviction thereof, be punished by a fine of not more than one thousand dollars (\$1,000) or imprisonment in such place of confinement as may be provided by law, not exceeding six (6) months, or by both fine and imprisonment in the discretion of the court hearing the case. Imprisonment in default of the fine and costs shall be regulated by Section 4 of Article 38 of the Annotated Code of the Public General Laws of Maryland, 1957 edition, and any amendments thereof.

(b) The suspension or revocation of any license, permit, certificate or other privilege conferred by the town shall not be regarded as a penalty for the purposes of this Code but shall be in addition thereto.

§ 1-6. Civil relief. [Added 3-6-95, effective 3-26-95.]

In addition to any penalties set forth in this Code, the town is empowered to seek appropriate civil relief to restrain any violations of this Code and/or to recover costs and damages that the town may incur as a result of violations of this Code