

Article XII. Miscellaneous Provisions.

Sec. 1. Oath of office.

Each person elected or appointed to any office of honor, profit or trust under the government of the Town of Easton shall before assuming the duties of his office take, and subscribe in a book prepared by the town clerk for the purpose, the following oath or affirmation: I _____ do swear (or affirm) 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. I further swear (or affirm) that since the adoption of this Charter I have not at any town election in any manner, directly or indirectly, violated the provisions of said Charter and the Constitution and laws of the State of Maryland in relation to bribery of voters. (1906, ch. 458, sec. 97R.)

Sec. 2. Charter powers not exclusive.

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 herein conferred. In addition to the powers enumerated in this Charter, the town shall have all powers, rights, and privileges now or hereafter granted or made available to a municipal corporation by the Constitution and laws of the State of Maryland.

Sec. 3. Present consistent State and town law continued in effect.

All Charter provisions, ordinances and regulations of the town, and state law in force at the effective date of this Charter, insofar as they or any portion thereof are not inconsistent with the provisions of this Charter, shall remain in force until amended or repealed by law. (1906, ch. 458, sec. 97Q.)

Sec. 4. Separability.

If any provision of this Charter is held invalid, the other provisions of the Charter shall not be affected thereby. If the application of the Charter or any of its provisions to any person or circumstances is held invalid, the application of the Charter and its provisions to other persons or circumstances shall not be affected thereby.

Sec. 5. Charter amendments.

Amendments to this Charter shall be made in accordance with Article 11-E of the Constitution of Maryland and Article 23A, section 11-18 of the 1957 Annotated Code of Maryland, as amended, and such amendments shall have the same force of law as if they had been enacted by the General Assembly of the State of Maryland.

Sec. 6. Penalties for misdemeanors and municipal infractions.

(A) Whenever in this Charter or in any resolution or ordinance adopted pursuant to this Charter or otherwise lawfully adopted, an act or omission to act is declared to be unlawful or a misdemeanor, any person found guilty of such act or omission to act shall be subject to a fine not to exceed \$500 and imprisonment not to exceed 90 days, or both such fine and imprisonment. Each day on which such act or omission to act occurs shall constitute a separate offense.

(B) Whenever in this Charter or in any resolution or ordinance adopted pursuant to this Charter, or otherwise lawfully adopted, an act or omission to act is declared to be a "Municipal infraction", it shall be a civil offense, and any person found guilty of such act or omission to act shall be guilty of a municipal infraction and shall be subject to a fine not to exceed \$100 for the first offense and a fine not to exceed \$200 for a repeat offense, and each day upon which such act or omission to occurs shall constitute a separate offense. (Res. 47, passed 8/17/78)

Sec. 7. Tort liability - notice of claim.

No action shall be maintained and no claim shall be allowed against the town for unliquidated damages for any injury or damage to person or property, unless, within 90 days after the injury or damage was sustained, written notice thereof setting forth the time, place, and cause of the alleged damage, loss, injury, or death shall be presented in person or by registered mail by the claimant, his agent or attorney, or, in case of death, by his executor or administrator, to the mayor, the president of the council, or the town clerk, as the case may be. (ch. amend. No. 30, 5/25/65)

Sec. 8. Effective date.

This Charter shall become effective on March 31, 1967.