

General Provisions

ARTICLE 1 GENERAL PROVISIONS

An Ordinance to revise and codify the ordinances of the Town of Farmingdale.

Sec. 1-101 Adoption of Code

The Farmingdale Code of Ordinances (Code), as compiled and published, is hereby adopted by the Town of Farmingdale. This adopting ordinance shall be integrated into said Code as Chapter 1, General Provisions. The entire Code shall be considered as one ordinance known and cited as the Farmingdale Code. Copies of this Code are on file in the office of the Town Clerk for public inspection.

Sec. 1-102 Maintenance of Code

The Town Clerk shall maintain a copy of this Code in loose leaf form plus online. It shall be the duty of the Town Clerk to ensure that a current copy of this Code, including amendments and deletions, is available at all times for public inspection.

Sec. 1-103 Additions, Amendments and Deletions

Any additions, amendments or deletions to this Code, when passed in such form as to indicate the intention of the Town of Farmingdale to make the same a part hereof, shall be incorporated into this Code. Reference Chapter 1, Article 2 "Ordinance Preparation" (page 1-5).

Sec. 1-104 Continuation of Existing Ordinances

The provisions appearing in this Code, so far as they are in substance the same as the provisions of ordinances existing at the time of the effective date of this Code, shall be considered as continuations thereof and not as new enactments.

Sec. 1-105 Conflicting Provisions

1. If the provisions of different chapters, articles, divisions or sections of this Code conflict with or contravene each other, the provisions of each chapter, article, division or section shall prevail as to all matters and questions growing out of the subject matter of that chapter, article, division or section.
2. If conflicting provisions are found in different sections of the same chapter, the provisions of the section last enacted shall prevail unless the construction is inconsistent with the meaning of the Chapter.
3. Where any conflict exists between a provision of this Code and Maine Revised Statutes, the latter shall prevail.

Sec. 1-106 Repeal of Prior Ordinances

This Code shall effect a repeal of all ordinances, orders and resolutions in effect prior to its adoption which are in conflict with its provisions.

Sec. 1-107 Vested Rights

All ordinances in force prior to the adoption of this Code continue in force thereafter for the sole purpose of preserving vested rights acquired under the former provisions.

Sec. 1-108 Fees

The fee schedule associated with various Articles is noted in the Appendix 1. The fee schedule is subject to revision by the Board of Selectmen after a public hearing, on a periodic basis.

Sec. 1-109 Severability

General Provisions

If any section, paragraph, sentence or clause contained in this Code shall for any reason be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such judgment shall not affect, impair or invalidate the remainder of the rules, regulations and ordinances contained in the Code, but shall be confined in its operation to the section, paragraph, sentence, clause or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Sec. 1-110 General Penalty For Violation of Code: Continuing Violation

Any violation of this Code by any person shall be a civil violation. Any person whose act or failure to act is unlawful under this Code or whose conduct otherwise constitutes a violation of this Code shall be fined not less than twenty dollars (\$20) nor more than one hundred dollars (\$100) for each offense unless a greater or lesser fine for a specific violation is expressly provided. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Any penalty imposed for a civil violation under this Code shall not preclude, and shall be in addition to, any other civil remedies that may be available to the Town.

Any person who violates this Code shall also be responsible for all costs incurred by the Town in its enforcement of the Code, including all reasonable attorney fees and expert witness fees and costs.

Revised: November 20, 2010

Revised: June 28, 2014