

23100847D

**HOUSE BILL NO. 2005**

Offered January 11, 2023

Prefiled January 10, 2023

A *BILL to amend and reenact § 1 of Article II, § 1 of Article III, as amended, § 1 of Article IX, and § 1 of Article XI of Chapter 540 of the Acts of Assembly of 1950 and to repeal § 2 of Article III, § 1 of Article VIII, and § 1 of Article X of Chapter 540 of the Acts of Assembly of 1950, which provided a charter for the Town of Haymarket in Prince William County, relating to municipal elections; town council; boundaries; obsolete provisions.*

Patron—Roem

Referred to Committee on Counties, Cities and Towns

**Be it enacted by the General Assembly of Virginia:**

**1. That § 1 of Article II, § 1 of Article III, as amended, § 1 of Article IX, and § 1 of Article XI of Chapter 540 of the Acts of Assembly of 1950 are amended and reenacted as follows:**

Article II. Corporate Limits.

§ 1. (1) The limits of said town shall be as follows:

Beginning in the center of John Marshall Highway (Virginia State Route 55) a distance of 2,241.57 feet northwesterly from a pipe driven into the said highway where it intersects Carolina Road (State Route 625); thence North 35 degrees 21 minutes 25 seconds East, with Peters, 1,800 feet (passing through a concrete marker at 40.07 feet) to a concrete marker; thence, with Peters, Robinson (or Robertson), Thomas, King, and Jordan, South 57 degrees 31 minutes 39 seconds East, 4,474.04 feet crossing Carolina Road (Virginia State Route 625) and passing through concrete markers at 1,855.82 feet and 1,892.42 feet respectively, to a concrete marker; thence, with Jordan, Prince William County School Board and Stanton, South 35 degrees 21 minutes 25 seconds West, a distance of 3,500 feet crossing John Marshall Highway (Virginia State Route 55) and passing through concrete markers at 1,599.78 feet and 1,680.22 feet respectively to a concrete marker just southwesterly from the Southern Railway Company's right-of-way; thence, with Stanton, Bleight, Tyler, and Rust, South 58 degrees 09 minutes 59 seconds West, 4,476.84 feet crossing Carolina Road (Virginia State Route 625) just northeasterly from a bridge and passing through concrete markers at 1,671.11 feet and 1,711.61 feet, respectively to a concrete marker, and thence with Rust and Fletcher (following the old Clarkson line) North 35 degrees 21 minutes 25 seconds East, a distance of 1,750 feet crossing the Southern Railway Company's right-of-way at about 800 feet and passing through a concrete marker at 1,709.93 feet to the place of beginning, containing 361.59288 acres, more or less, according to a survey based on true bearings made by R. J. Ratchiffe, Surveyor of Prince William County, Virginia. *The boundaries of the Town, until altered, shall be as shown in Chapter 540 of the Acts of the General Assembly of 1950 as modified by a boundary line adjustment entered into between the Town of Haymarket and the County of Prince William, approved by Circuit Court order recorded in the Prince William County land records as Instrument number 201402260012836.*

Article III. Administration and Government.

§ 1. (1) The ~~councilmen~~ *council members* and mayor in office on the effective date of this act April 7, 1950 shall continue in office until the first day of July of the year following termination of their respective terms or until their respective successors shall have been duly elected and qualified.

(2) On the first Tuesday *after the first Monday* in ~~May~~ *November*, 1974 ~~2024~~, and every two years thereafter, there shall be elected by the qualified voters of the town, one elector of the town, who shall be denominated mayor, and six other electors, who shall be denominated ~~councilmen~~ *council members*, and the mayor and ~~councilmen~~ *council members* shall constitute the Town council. They shall enter upon the duties of their offices on the first day of ~~July~~ *January* next succeeding their election, and shall continue in office until their successors are duly elected and qualified. Every person so elected shall take an *the* oath faithfully to execute and discharge the duties of his office to the best of his judgment, and the mayor shall take the oath prescribed by law for State officers. The failure of any person elected or appointed under the provisions of this charter to qualify or to take the oath required, within the time prescribed for entering upon the discharge of the duties of the office to which he is elected or appointed, shall vacate the said office and the council shall proceed and is hereby vested with power to fill such vacancy in the manner herein prescribed *of office as prescribed by general law.*

(3) There shall be appointed for the town a registrar and officers of election in the manner provided for by general law of Virginia, and all elections held in said town shall be conducted in accordance with said general law; the electorate shall be that prescribed by general law. *[Repealed]*

INTRODUCED

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59 (4) The council shall judge of the election, qualification, and returns of its members; may fine them  
60 for disorderly conduct, and, with the concurrence of two-thirds, expel a member. If any person returned  
61 be adjudged disqualified, or be expelled, a new election to fill the vacancy shall be held on such day as  
62 the council may prescribe. Any vacancy occurring otherwise during the term for which such person was  
63 elected shall be filled by the council by the appointment of any one eligible to such office. A vacancy  
64 in the office of mayor shall be filled by the council from the electors of the town, and any member of  
65 the council may be eligible to fill such vacancy. *[Repealed]*

66 (5) A majority of the members of the council shall constitute a quorum for the transaction of  
67 business.

68 (6) Each member of the council may receive a salary to be fixed by the council, payable at such  
69 times and in such manner as the council may direct, but the salary paid to any one member during any  
70 year shall not exceed the sum of one hundred dollars per annum. The mayor may receive a salary to be  
71 fixed by the council, payable in such manner and at such times as the council may direct, not to exceed  
72 the sum of five hundred dollars per annum; and such salary shall be in lieu of any fees he is entitled to  
73 enter up as part of the costs and receive in the trial of cases of violation of the ordinances of the town  
74 as hereinafter provided for.

75 (7) The mayor shall preside at the meetings of the council and perform such other duties as are  
76 prescribed by this charter and by general law, and such as may be imposed by the council consistent  
77 with his office. The mayor shall have no right to vote in the council, except in case of a tie ~~he~~ *the*  
78 *mayor* shall have the right to cast a vote to break the same by his vote; tie, but ~~he~~ *the mayor* shall have  
79 the right to veto *as provided in § 1 (8) of this Article III.* ~~He~~ *The mayor* shall have the following duties:  
80 to take care and see that the bylaws, ordinances, acts and resolutions of the council are faithfully  
81 executed and obeyed, and shall have and exercise all power and authority conferred by general law on  
82 mayors of towns not inconsistent with this charter. He shall be ex officio a conservator of the peace  
83 within the town and within one mile of its corporate limits; and shall have jurisdiction to issue process  
84 for and try all cases for the violation of the town ordinances, subject to an appeal to the Circuit Court of  
85 Prince William County, Virginia, and impose such punishment and/or fines as may be prescribed for  
86 violation of the same, and he shall have power to issue executions for all fines and costs imposed by  
87 him, or he may require an immediate payment thereof, and in default of such payment he may commit  
88 the defaulting party to the Prince William County Jail until such fine and costs shall be paid, such  
89 commitment, however, not to be for more than twelve months. He may release persons accused or  
90 convicted of the violation of a town ordinance upon the giving of sufficient bail to be fixed by him. He  
91 shall; to see that peace and good order are preserved and that persons and property within the town are  
92 protected. He shall; to authenticate by his signature such documents and instruments as the council, this  
93 charter, or the laws of this Commonwealth require. He shall; and from time to time recommend to the  
94 council such measures as he may deem seem needful for the welfare of the town.

95 (8) Every ordinance, or resolution having the effect of an ordinance, shall, before it becomes  
96 operative be presented to the mayor. If he approves, he shall sign it, but if not, he may return it *The*  
97 *mayor may veto an ordinance or a resolution having the effect of an ordinance by transmitting it,* with  
98 his objections *the reasons for the veto* in writing, to the town clerk who shall enter the *reasons for the*  
99 *mayor's objections veto* at length on the minute books *book* of the council. The council shall may  
100 thereupon proceed to reconsider such ordinance or resolution. If, after such consideration, two-thirds of  
101 all the members elected to the council shall agree to pass the ordinance or resolution, it shall become  
102 operative notwithstanding the objection *veto* of the mayor. In all such cases, the votes of members of the  
103 council upon such reconsideration and the names of the members voting for and against the ordinance or  
104 resolution shall be entered on the minute book of the council. If any ordinance or resolution *having the*  
105 *effect of an ordinance* shall not be returned by the mayor within five days (Sunday excepted) after it  
106 shall have been presented to him *passage by the council*, it shall become operative in like manner as if  
107 he had signed it *without the mayor's signature*, unless his *the mayor's* term of office or that of the  
108 council, shall expire *expires* within said five days.

109 (9) The council shall, as soon as practicable after qualification, and biennially thereafter following the  
110 regular municipal election, appoint one of its members as vice-mayor. The vice-mayor, during the  
111 absence or disability of the mayor, shall perform the duties and be vested with all the powers, authority,  
112 and jurisdiction, of the mayor *except the power to veto*; and in the event of a vacancy for any reason in  
113 the office of mayor, he shall act as mayor until a mayor is duly appointed by the Town council or is  
114 elected. The member of the council who shall be chosen vice-mayor shall continue to have all of the  
115 rights, privileges, powers, duties and obligations of ~~councilman~~ *a council member* even when performing  
116 the duties of mayor during the absence or disability of the mayor of the town.

117 (10) The council shall, by ordinance, fix the time for their regular meetings, which shall be held at  
118 least once a month. Special meetings may be called by the clerk at the instance of the mayor or any two  
119 members of the council in writing; and no other business shall be transacted at a special meeting except  
120 that stated in the call, unless all members be present and consent to the transaction of such other

121 business. The meetings of the council shall be open to the public except when in the judgment of the  
122 council the public welfare shall require executive meetings *consistent with the terms of the Virginia*  
123 *Freedom of Information Act (§ 2.2-3700 et seq. of the Code of Virginia) as then in effect.*

124 (11) The council shall keep a minute book, in which the clerk shall note the proceedings of the  
125 council; and shall record proceedings at large on the minute book and keep the same properly indexed.

126 (12) The council may adopt rules for regulating its proceedings; ~~but no tax shall be levied, corporate~~  
127 ~~debt contracted, or appropriation of money exceeding the sum of one hundred dollars be made, except~~  
128 ~~by a recorded affirmative vote of a majority of all the members elected to the council.~~

129 (13) There shall be appointed by the council at its first meeting in ~~September~~ *March*, or as soon as  
130 practicable thereafter, a treasurer, who shall hold office for a term of two years. The council may  
131 provide a salary for the treasurer. ~~He~~ *The treasurer* shall give such bond, with surety and in such  
132 penalty as the council prescribes. ~~He~~ *The treasurer* shall receive all money belonging to the town; and  
133 keep correct accounts of all receipts from all sources and of all expenditures of all departments. ~~He~~ *The*  
134 *treasurer* shall be responsible for the collection of all taxes, license fees, levies and charges due to the  
135 town; and shall disburse the moneys of the town in the manner prescribed by the council as it may by  
136 ordinance direct.

137 (14) The treasurer shall make such reports and at such time as the council may prescribe. The books  
138 and accounts of the treasurer shall be examined and audited ~~at least once during the term for which he~~  
139 ~~is elected by a competent accountant selected by the council, such examination and audit to be reported~~  
140 ~~to the council in accordance with general law.~~

141 (15) The council may in its discretion designate the place of deposit of all town funds, *consistent*  
142 *with state law*, which shall be kept by the treasurer separate and apart from ~~his~~ *the treasurer's* personal  
143 funds.

144 (16) There shall be appointed by the council, at its first regular meeting in ~~September~~ *March* after its  
145 election, a clerk of the council, who need not be a resident of the town, and who shall hold office at the  
146 pleasure of the council. ~~He~~ *The clerk* shall attend the meetings of the council and keep its minutes and  
147 records and have charge of the corporate seal and shall attest the same. ~~He~~ *The clerk* shall keep all  
148 papers required to be kept by the council, shall publish such reports and ordinances as are required to be  
149 published, and shall perform such other duties as the council may from time to time require. ~~His~~ *The*  
150 *clerk's* compensation shall be fixed by the council. Any vacancy in this office shall be filled by the  
151 council.

152 (17) There shall be appointed by the council at its first regular meeting in ~~September~~ *March* or as  
153 soon as practicable thereafter, a town sergeant, who shall also be chief of police; and shall hold office  
154 at the pleasure of the council. ~~His~~ *The town sergeant's* duties shall be such as the council prescribes. ~~He~~  
155 *The town sergeant* shall be vested with the powers of a conservator of the peace. ~~His~~ *The town*  
156 *sergeant's* compensation shall be fixed by the council.

157 (18) The council may appoint a trial justice for the town who shall serve at the pleasure of the  
158 council and until his successor is appointed by the council and qualifies. He shall be an attorney at law  
159 licensed to practice under the laws of the Commonwealth; but he need not be a resident of the town.

160 The trial justice is hereby vested with all the power, authority and jurisdiction and charged with all  
161 the duties within and for the town of Haymarket, and in criminal matters for one mile beyond the  
162 corporate limits thereof, which are or may hereafter be conferred upon the trial justice by the laws of  
163 the State of Virginia; so far as the same may be applicable; and not in conflict with the provisions of  
164 this charter; and any amendments of the trial justice laws of this State shall be considered as  
165 amendments also of this section of this charter if the same are applicable hereto.

166 Fees and costs shall be assessed by the trial justice and shall be collected as provided by the laws of  
167 the State of Virginia relating to trial justices as the same shall now be or as hereby amended. All fees  
168 and costs collected by the said trial justice and all fines collected for violations of all laws and  
169 ordinances of the town shall be paid into the town treasury for the use and benefit of the town.

170 Removals may be taken, and appeals from the decisions of the trial justice may be taken, to the  
171 Circuit Court of Prince William County in the same manner, upon the same terms and shall be tried in  
172 the same way as removals or as appeals from the decision of trial justices, as the case may be, are  
173 provided to be taken and tried by the laws of the State of Virginia, relating to trial justices as the same  
174 shall now be or as hereafter amended.

175 The council may also appoint such clerk or clerks as may in their discretion be necessary, provide  
176 for just compensation therefor and provide necessary records.

177 The council of said town shall provide a salary to compensate such trial justice in such amount and  
178 payable at such times as the council shall deem proper, and the council may provide also for a vacation  
179 period, either with or without pay, and for such duration, as in the judgment of the council may be  
180 proper.

181 Like provisions may be made for a substitute justice, and when such substitute acts, he shall receive

182 the compensation which would have been paid him had the principal acted, and which compensation  
183 shall be deducted from salary or allowance made to the principal.

184 The town of Haymarket may combine with the county of Prince William for the use of one trial  
185 justice and one substitute trial justice for such combined town and county, in such manner as may be  
186 provided by the laws of the State of Virginia relating to trial justices; and if the town of Haymarket and  
187 the county of Prince William shall at any time combine for the use of one trial justice and one substitute  
188 trial justice for the said town and the said county, the laws of the State of Virginia relating to trial  
189 justices, so far as applicable, shall control and not this section of this charter. *[Repealed]*

190 (19) The council may appoint or select such other officers as may be necessary, including a business  
191 manager for the town, and fix their salaries and define their duties.

192 (20) All ordinances, resolutions and bylaws passed by the council take effect at the time indicated in  
193 such ordinances, resolutions or bylaws, but in event no effective date shall be set forth in any such  
194 ordinances, resolutions or bylaws passed by the council, the same shall become effective thirty days  
195 from its passage.

196 Article IX. Additional Powers.

197 § 1. In addition to powers elsewhere mentioned in this charter and the powers conferred by general  
198 law and the Constitution, the town shall have the following powers:

199 (1) To compel the abatement and removal of all nuisances within the town or upon property owned  
200 by the town without its limits at the expense of the person or persons causing the same or of the owner  
201 or occupant of the ground or premises wherein the same may be, and to collect said expense by suit or  
202 motion or by distress and sale; to require all lands, lots and other premises within the town to be kept  
203 clean and sanitary and free from stagnant water, weeds, filth, and unsightly deposits, or to make them so  
204 at the expense of the owners or occupants thereof, and to collect said expense by suit or motion or by  
205 distress and sale; to regulate or prevent noisome or offensive business within the said town, or the  
206 exercise of any dangerous or unwholesome business, trade, or employment therein; to regulate the  
207 transportation of all articles through the streets of the town; to compel the abatement of smoke and dust,  
208 and prevent unnecessary noise; to regulate the location of stables and the manner in which the same  
209 shall be constructed and kept; to regulate the location, construction, operation, and maintenance of  
210 billboards and signs; and generally to define, prohibit, abate, suppress, and prevent all things detrimental  
211 to the health, morals, aesthetics, safety, convenience and welfare of the inhabitants of the town; and to  
212 require all owners or occupants of property having public sidewalks adjacent thereto to keep the same  
213 clean and sanitary, free from weeds, filth, unsightly deposits, ice and snow, and any obstruction.

214 (2) To extinguish and prevent fires, and to establish, regulate and control a fire department or  
215 division; to establish and designate from time to time fire limits, within which limits wooden buildings  
216 shall not be constructed, added to, enlarged or repaired, and to direct that any or all future buildings  
217 within such limits shall be constructed of stone, natural or artificial, concrete, brick, iron or other  
218 fireproof materials; to enact stringent and efficient laws for securing the safety of persons from fires in  
219 halls and buildings used for public assemblages, entertainments or amusements. *[Repealed]*

220 (3) To direct the location and construction of all buildings for storing explosives or combustible  
221 substances; to regulate the sale and use of gunpowder, nitroglycerin, fireworks, kerosene, gasoline, and  
222 other like material; to regulate or prevent the exhibition of fireworks, the discharge of firearms, and the  
223 making of bonfires within the corporate limits of said town. *[Repealed]*

224 (4) To provide for the preservation of the general health of the inhabitants of said town, make  
225 regulations to secure the same, inspect all foodstuffs, and prevent the introduction and sale in said town  
226 of any articles or thing intended for human consumption which is adulterated, impure, or otherwise  
227 dangerous to health, and to condemn, seize, and destroy or otherwise dispose of any such article or  
228 thing without liability to the owner thereof; to prevent the introduction or spread of contagious or  
229 infectious diseases, and prevent and suppress disease generally; to provide and regulate hospitals within  
230 or without the town limits, and if necessary to the suppression of disease, to enforce the removal of  
231 persons affected with contagious or infectious diseases to hospitals provided for them; to provide for the  
232 organization of a department or bureau of health, to have the powers of a board of health for the town,  
233 with authority necessary for the prompt and efficient performance of its duties, with the power to invest  
234 any or all of the officials or employees of such department of health with such powers as the police  
235 officers of the town have, to establish quarantine ground within or without the town, and establish and  
236 enforce such quarantine regulations against contagious and infectious diseases as the council may see fit,  
237 subject to the laws of the State and the United States. *[Repealed]*

238 (5) To provide for the care, support and maintenance of children and of sick, aged, insane, or poor  
239 persons and paupers. *[Repealed]*

240 (6) To provide and maintain, either within or without the town, charitable, recreative, curative,  
241 corrective, detention or penal institutions.

242 (7) To regulate poultry or other fowl, hogs, dogs or other animals being kept in or running at large  
243 in the town, or any thickly populated portion thereof, and to subject the same to such taxes, regulations

244 and penalties as the council may think proper.

245 (8) To prevent the riding or driving of horses or other animals at an improper speed; to prevent the  
246 flying of kites, throwing of stones, the setting off of fireworks or engaging in any sort of employment in  
247 the public streets which is dangerous or annoying to passersby, and to prohibit and punish the abuse of  
248 animals. *[Repealed]*

249 (9) To establish markets in the town and regulate the same and to enforce such regulations in regard  
250 to the keeping and sale of fresh meats, vegetables, eggs, and other green groceries, and the trade of  
251 hucksters and junk dealers as may be deemed advisable.

252 (10) To prevent any person having no visible means of support, paupers, and persons who may be  
253 dangerous to the peace and safety of the town from coming to town from without the same; and to  
254 expel therefrom any such person who has been in the town less than twelve months. *[Repealed]*

255 (11) To exercise full police powers and establish and maintain a department or division of police.

256 (12) To restrain and punish drunkards, vagrants, and street beggars; to prevent and quell riots,  
257 disturbances, and disorderly assemblages; to suppress houses of ill fame and gambling houses and  
258 punish operators and inmates of the same; to prohibit and punish the carrying of concealed weapons  
259 within the town; to prevent and punish lewd, indecent, and disorderly exhibitions in the town. To  
260 prohibit and punish gambling and betting disturbances of the peace, disorderly conduct, and public  
261 swearing and cursing, within the town. *[Repealed]*

262 (13) To prohibit and punish mischievous, wanton, or malicious damage to school, church, and public  
263 property, as well as to private property. *[Repealed]*

264 (14) To prohibit minors from and punish them for frequenting, playing or loitering in any public  
265 poolroom, billiard parlor, or bowling alley, and to punish any proprietor or agent thereof for permitting  
266 same. *[Repealed]*

267 (15) To compel persons sentenced to confinement in jail for any violation of the laws or ordinances  
268 of the town to work on the public streets, parks, or other public works of the town; and on the  
269 requisition of the Mayor it shall be the duty of the sergeant of the town or the sheriff of Prince William  
270 County to deliver such persons to the duly authorized agent of the town for such purposes from day to  
271 day as they may be required. For the purpose of carrying into effect the police regulations of the town,  
272 the town shall have the use of the county jail of Prince William County for the safe keeping and  
273 confinement of all persons who shall be sentenced to Imprisonment under the ordinances of the town.  
274 *[Repealed]*

275 (16) To enjoin and restrain the violation of any town ordinance or ordinances, although a penalty is  
276 provided upon the conviction of such violation.

277 (17) To pass and enforce all by-laws, rules, regulations, and ordinances which it may deem necessary  
278 for the good order and government of the town, the management of its property, the conduct of its  
279 affairs, the peace, comfort, convenience, order, morals, health, and protection of the citizens and their  
280 property, and to do such other things and pass such other laws as may be necessary or proper to carry  
281 into full effect all powers, authority, capacity or jurisdiction, which is or shall be granted to or vested in  
282 said town, or in the council, court of officers, thereof or which may be a necessary incident to a  
283 municipal corporation.

284 (18) To do all things whatsoever necessary or expedient and lawful to be done for promoting or  
285 maintaining the general welfare, comfort, education, morals, government, peace, health, trade, commerce,  
286 or industries of the town, or its inhabitants.

287 (19) To offer and pay rewards for the apprehension of criminals.

288 (20) To provide by ordinance a system of meat and milk inspection, and appoint milk and meat  
289 inspectors, agents, or officers to carry the same into effect; to prevent, license, regulate, control, and  
290 locate slaughter houses within or without the corporate limits of the town; and for such services of  
291 inspection to make reasonable charges; and to provide reasonable penalties for the violation of such  
292 ordinances. *[Repealed]*

293 (21) To establish, organize, administer or contribute to the support of public schools and libraries,  
294 subject to the general laws establishing a standard of education for the State. *[Repealed]*

295 (22) To inspect, test measure and weigh any commodity or commodities or articles of consumption  
296 for use within the town; and to establish, regulate, license and inspect weights, meters, measures, and  
297 scales. *[Repealed]*

298 (23) To make and enforce ordinances, insofar as not prohibited by the general laws of this State, to  
299 regulate, control, license and/or tax the manufacture, bottling, sale, distribution, transportation, handling,  
300 advertising, possession, dispensing, drinking and use of alcohol, brandy, rum, whiskey, gin, wine, beer,  
301 lager beer, ale, porter, stout, and all liquids, beverages and articles containing alcohol by distillation,  
302 fermentation or otherwise. *[Repealed]*

303 (24) To require every owner or operator of motor vehicles residing in the town, on a date to be  
304 designated by the council, to annually register such motor vehicles and to obtain a license to operate the

305 same by making application to the treasurer of the town, or such other person as may be designated by  
306 the council; to issue such license, and to require the owner to pay the annual license fee therefor to be  
307 fixed by the council, provided that the license fee shall not exceed the amount charged by the State on  
308 such machines. The council shall have the right to require the operator of the motor vehicle to attach a  
309 proper license plate on a conspicuous part of the motor vehicle and to keep same thereon in plain view  
310 for common observation. The council may prorate such license fee over periods of not less than three  
311 months. *[Repealed]*

312 (25) Insofar as not prohibited by general law, to control, regulate, limit and restrict the operation of  
313 motor vehicles carrying passengers for hire upon the streets or alleys of the town; to regulate the use of  
314 automobiles and other automotive vehicles upon the streets; to regulate the routes in and through the  
315 town to be used by motor vehicle carriers operating in and through the town and to prescribe different  
316 routes for different carriers; to prohibit the use of certain streets by motor trucks; and generally to  
317 prescribe such regulations respecting motor traffic therein as may be necessary for the general welfare  
318 and safety. *[Repealed]*

319 (26) To make and enforce and effect by ordinances any and all the laws of this State.

320 (27) To put into force and effect by ordinances any and all the foregoing powers, and any other  
321 powers and authority of the council given by this charter, or any State law, or any amendments thereto;  
322 and to prescribe punishment for the violation of any town ordinance, rule or regulation, or of any  
323 provision of this charter, the penalty not to exceed five hundred dollars (\$500.00) fine or twelve months'  
324 imprisonment in jail, or both. *[Repealed]*

325 (28) The enumeration of particular powers by this charter shall not be deemed to be exclusive, and  
326 in addition to the powers enumerated herein or implied hereby, or appropriate to the exercise of such  
327 powers, it is intended that the Town council shall have and may exercise all powers which, under the  
328 Constitution and laws of this State, it would be competent for this charter specifically to enumerate.

329 Article XI. Miscellaneous.

330 § 1. (1) If any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by a  
331 court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the  
332 remainder of the act, but shall be confined in its operation to the part of the act directly involved in the  
333 controversy in which the judgment shall have been rendered.

334 (2) This act may be referred to or cited as the Haymarket Charter of 1950 2022.

335 **2. That § 2 of Article III, § 1 of Article VIII, and § 1 of Article X of Chapter 540 of the Acts of**  
336 **Assembly of 1950 are repealed.**