

County and Somerset County; provided that in Worcester County this section shall also apply to beaches adjacent to residential riparian property and provided further [than] THAT no bonfires shall be built nor allowed to burn on any beach or other property in Worcester County between the hours of 1:00 o'clock a.m. and 5:00 o'clock a.m.

254.

(d) A nonprofit organization desiring to raise money for an exclusively charitable, athletic or educational [purposes] PURPOSE specifically described in the application to the Sheriff.

286.

(b) Any person who violates any of the provisions of subsection (a) with respect to:

(1) A substance classified in Schedules I or II which is a narcotic drug shall, upon conviction, be deemed guilty of a felony and sentenced to a term of imprisonment for not more than twenty (20) years, and a fine of not more than twenty-five thousand dollars (\$25,000) or both. Nothing in this subsection shall prevent, prohibit or make [eligible] INELIGIBLE any convicted defendant from participating in the rehabilitation program under Article 43B, §§ 12 and 13, as amended from time to time, because of the length of sentence.

(2) Any other controlled dangerous substance classified in Schedule I, II, III, IV, or V shall, upon conviction, be deemed guilty of a felony and sentenced to a term of imprisonment for not more than five (5) years or a fine of not more than fifteen thousand dollars (\$15,000), or both.

297.

(c) Property taken or detained under this section shall not be repleviable, but shall be deemed to be in the custody of the person who seized SAID PROPERTY SUBJECT ONLY TO THE ORDERS AND DECREES OF THE COURT OR THE official having jurisdiction thereof. Whenever property is seized under the provisions of this subheading, the person who seized said property may:

- (1) Place the property under seal;
- (2) Remove the property to a place designated by the court.

297(f)(2).

(iii) The motor vehicle falls within the provisions of [§ 297 (a) (4) (a) or (b)] § 297 (A) (4)(I) OR (II).

297.

(p) At the scheduled hearing, any owner who filed a timely answer may show by competent evidence that the motor vehicle was not in fact used in violation of this subtitle [on] OR that he neither knew nor should have known that the motor vehicle was being, or was to be so used. Upon the determination that the motor vehicle was not so used, the court shall order that the motor vehicle be released to the owner.