

COUNTY LOCAL LAWS

(E) "KNOWINGLY" MEANS HAVING KNOWLEDGE OF THE CHARACTER AND CONTENT OF THE SUBJECT MATTER.

(3) EXEMPTIONS:

THE PROHIBITIONS AND PENALTIES IMPOSED IN THIS SUBTITLE SHALL NOT EXTEND TO PERSONS HAVING BONA FIDE SCIENTIFIC, EDUCATIONAL, GOVERNMENTAL, OR OTHER SIMILAR JUSTIFICATION FOR POSSESSING SUCH MATTER, TO DISTRIBUTIONS THEREOF PURSUANT TO SUCH JUSTIFICATION, OR TO MOTION PICTURES APPROVED BY THE MARYLAND STATE BOARD OF CENSORS.

(4) (A) ANY PERSON VIOLATING ANY PROVISION OF THIS SUBTITLE, SHALL BE GUILTY OF A MISDEMEANOR, AND UPON CONVICTION, SHALL BE FINED NOT MORE THAN ONE THOUSAND DOLLARS (\$1,000.00), OR IMPRISONMENT FOR NOT MORE THAN SIX (6) MONTHS, OR BOTH FINED AND IMPRISONED.

(B) EACH DAY OF EACH SUCH VIOLATION SHALL CONSTITUTE A SEPARATE OFFENSE.

(C) THE PROVISIONS OF THIS SECTION SHALL NOT IN ANY WAY PRECLUDE THE COUNTY FROM ENFORCING THIS SUBTITLE BY ANY AND ALL OTHER LEGAL MEANS, IN LAW OR IN EQUITY.

(5) UPON THE CONCLUSION OF ANY LEGAL PROCEEDINGS PURSUANT TO THIS SECTION, ANY EVIDENCE DETERMINED TO BE OBSCENE MATERIAL SHALL BE DESTROYED.

SECTION 2. AND BE IT FURTHER ENACTED, That if any provision of this ordinance or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other application of this ordinance which can be given effect without the invalid provisions or application, and to this end, all the provisions of this ordinance are hereby declared to be severable.

SECTION 2A. AND BE IT FURTHER ENACTED, That upon the effective date of any statute which may become effective throughout the entire State of Maryland dealing with obscene matter or material, all parts of this section which may be inconsistent with said statute shall immediately stand repealed with no further action required by the County Council to the extent of any such inconsistency.

SECTION 3. AND BE IT FURTHER ENACTED, That this ordinance shall take effect forty-five(45) days from the date it becomes law.

AMENDMENTS adopted September 4, 1973.
