

**TOWN OF MARION
COMMERCIAL QUAHOG REGULATIONS**

Approved by the Board of Selectmen - November 26, 1996

Amended Feb 2007

Fee: **\$150.00** {Calendar Year}

1. A Massachusetts State Shellfish License must be purchased before a Town License can be issued.
2. Non-Criminal Disposition of Violations
Anyone violating any provision of these Shellfish Regulations shall be subject to a penalty of \$25.00 for each offense. Each violation of each provision shall constitute a separate offense. For continued violations, each day or portion thereof during which a violation is continued shall constitute a separate offense.

The provisions of the Marion Non-Criminal Disposition Regulation and M.G.L. Chapter 40, Section 21D shall apply to violations of these Regulations.

These Regulations may be enforced by the Harbormaster/Shellfish Officer, any assistant or Deputy Harbormaster/Shellfish Officer, any Marion Police Officer or any State or Federal Law Enforcement Officer.

3. Any violation of these Regulations may result in the suspension or revocation of all shellfishing rights {Commercial and Family} in the Town of Marion.
4. Limit: Four {4} bushels per day. Not over half of the days catch can be neck size. Neck size equals one {1} inch thick.
5. Hand methods only may be used. Other methods are currently prohibited. Requests for alternate methods should be referred to the Marine Resources Commission.
6. All commercial digging must be from mean low tide seaward, and if staked, must be outside staked areas.
7. Boats {including the days catch} will return to the same anchorage as their departure. Any other procedure must be pre-arranged with the Shellfish Officer.
8. Commercial digging will be allowed only in designated areas. Designated areas and harvesting methods may be changed from time per order of the Shellfish Officer. Notices will be posted in the Town Hall.
9. In areas where stakes or floats are mentioned, the areas closed to fishing will be between the stakes and the shoreline. Anyone fishing inside the staked area, will be warned once and the second time the offender will be scheduled for a hearing before the Board of Selectmen to revoke the license.

10. AREAS CLOSED TO COMMERCIAL FISHING AT ALL TIMES:

- A. A line from Hughes' flagpole {28 West Drive} to the northwest tip of Black's Point as indicated by orange markers. All areas north of this line are closed to commercial fishing.
 - B. South of a line drawn between the two orange markers at the southern end of Planting Island Cove.
 - C. Wing's Cove - Inside stakes at Clapp's Island.
11. Seasonal Closures - - - as established by the Commonwealth of Massachusetts - Division of Marine Fisheries.
 12. Seasonal Openings - - - will be considered on an individual case basis, except those areas closed seasonally due to pollution
 13. General Commercial Shellfish Regulations apply to all Commercial Shellfish Permits.
 - A. Commercial equipment, bull rakes, and tongs shall not be used for fishing on family permits in the closed area of Wing's Cove {Clapp's Island}, Planting Island Cove, or inside the area of the Inner Harbor from Hughes' flagpole {28 West Drive} to Black's Point. Areas are marked by orange signs.
 14. See Commercial Numbers Regulation below.

RESIDENCY REQUIREMENTS - - - COMMERCIAL SHELLFISH PERMITS

1. Residents of Marion and Residents of Rochester {for more than six {6} months} are eligible to purchase commercial shellfish permits. Applicants must prove resident status. This requirement is due to the need to conserve the existing shellfish crop.
2. Licenses become invalid when residency is terminated.

COMMERCIAL NUMBERS REGULATION

1. All commercial fishermen licensed by the Town of Marion shall display their assigned numbers while fishing.
2. Numbers shall be six {6} inches high on a yellow background, not less than twelve {12} inches in length and eight {8} inches high.
3. Numbers shall be visible from both sides of the boat being used for the fishery.
4. If fishing from shore, a floating device shall be used which will also display permit numbers from both sides and be of the same size as those required on a boat {see #2}. The floating device shall be within fifty {50} feet of the commercial fisherman.
5. If two or more commercial fishermen are fishing from the same boat, the numbers of each commercial fisherman must be displayed.

