

# RECREATIONAL SHELLFISH REGULATIONS

## ARTICLE II

### FAMILY NON-COMMERCIAL SHELLFISH REGULATIONS

[Readopted 12/1/98; amended 10/18/06]

#### NOTES:

- Under the authority of Massachusetts General Law, Chapter 130.
- Under the authority of Chapter 122 of the Code of the Town of Nantucket.

#### **230-5: PERMIT REQUIRED; TAKING OF SHELLFISH; SEASONS; LIMITS**

- A. The Board of Selectmen shall authorize the issuance of permits by the Marine & Coastal Resources Department under the authority of Chapter 130 of the General Laws of the Commonwealth of Massachusetts.
- B. The permit shall allow the taking of legal quahogs and eels during the period from April 1<sup>st</sup> to March 31<sup>st</sup>, inclusive.
- C. Quahog, Clams, Oysters or Scallops shall not be taken from seed areas as may be closed by the Board of Selectmen upon recommendation by the town biologist.
- D. Effective October 1, 1997, scallops may be taken Wednesday through Sunday only, from October 1<sup>st</sup> to March 31<sup>st</sup>, inclusive, in any manner whatsoever as long as motor or sail power boat is not used and by any implement except dredges. Limit is one (one) bushel per license per week. **[Amended July 16, 1997]**
- E. Oysters may be taken from September 1<sup>st</sup> through April 30<sup>th</sup>, inclusive. Not over one-half (.5) bushel of oysters per week shall be taken for family use.
- F. Not over one (1) ten-quart bucket of quahogs in any one day and not over one-half (.5) bushel per week shall be taken for family use. Limit is one bushel of mussel per week.
- G. Shellfish and eels taken under permit shall not be sold or offered for sale.
- H. Soft-shell clams may be taken only during season as set by the Board of Selectmen. Limit is one (1) ten-quart bucket only to be taken on Sundays. Season is closed June 15<sup>th</sup> to September 15<sup>th</sup>.
- I. Eels cannot be taken from Madaket ditch by having a net having a mesh measuring less than 1.5 inches. Only dip nets can be used in the taking of eels and alewives from said ditch.
- J. Pins are to be worn at all times.
- K. No person shall take seed scallops.
  - 1. The term "seed scallops" is defined as an immature scallop without a well defined, raised annual growth line.
  - 2. A first violation of this section 230-5.K. shall be punished by a mandatory written warning.
  - 3. A second violation of this section 230-5.K. shall be punished by a mandatory fine of not less than fifty-dollars (\$50.00) and not more than three-hundred dollars (\$300.00) and revocation of permit for two weeks.
  - 4. A third violation of this Section 230-5.K. shall be punished by a mandatory revocation of permit for one year from the date of the violation. **[Amended 10/18/06]**

**230-6: PERMIT FEES**

- A. The fee for a permit to take scallops under this article shall be twenty-five dollars (\$25.00), with proof of residency, for residents of the Town of Nantucket and one hundred dollars (\$100.00) for non-residents. There shall be no fee for individuals over sixty years of age.

**230-7: VIOLATIONS; PENALTIES**

- A. A first violation of any of the provisions of this article *other than Section 230-5.K* shall be punishable by a fine of not less than fifty dollars (\$50.00) and not more than three-hundred dollars (\$300.00), or upon a hearing by the Board of Selectmen, permit may be revoked for whatever period the Board may determine. A second violation of any of the provisions of this article, *other than Section 230-5.K*, shall be punishable by a fine of not less than fifty dollars (\$50.00) and not more than three-hundred dollars (\$300.00). [ Amended 10/18/06]