

SHELLFISH REGULATIONS FOR KINGSTON, MA

GENERAL REGULATIONS: SEASON: APRIL 6, 2009 THRU OCTOBER 31, 2009

1. Non-Criminal Disposition of Violations
 - (a) Anyone violating any provision of these Shellfish Regulations shall be subject to a penalty \$25.00 for each first offense, \$50.00 for each second offense, and \$100.00 and loss of permit for 1 year for each third offense.
 - (b) 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.
 - (c) The provisions of the Kingston Non-Criminal Disposition Regulation And M.G.L. Chapter 40, Section 21D shall apply to violations of these regulations. The regulations may be enforced by the Harbormaster/Shellfish officer any assistant or deputy Harbormaster/Shellfish officer, or any Kingston Police officer.
2. A signed permit must be kept on the person of anyone in the act of harvesting shellfish, eels, or sea worms. This permit must be shown on demand to the Shellfish Constable or his Deputies.
3. Any Shellfish, eels, or sea worms harvested must be shown upon demand to the Shellfish Constable or his Deputies for inspection.
4. The areas that can be harvested and the limits of catch will be posted on the green information board at the town landing. When weekly shellfish limits are set, these will be posted at the town landing. The shellfish week begins on Monday. **There shall never be a greater limit than thirty-two (32) quarts per week per person of combined species.**
5. **The harvesting of shellfish, eels, and sea worms shall be on Tuesday, Thursday, Saturday and Sunday and shall be done between the hours of sunrise and sunset.**
6. All shellfish and sea worms shall be dug with conventional tined tools. No shovels are permitted and digging must be by hand without the assistance of any type of power or machinery.
7. It is prohibited to dig or take shellfish or sea worms in grass or close to roots of any marsh.
8. It is unlawful to remove the shells from shellfish before leaving the digging area.
9. Quahogs must be 1" at the hinge, soft-shell clams must be 2" (inches) in length, oysters 3" (inches), and razor clams 4" (inches).
10. **No container larger than 8 quarts is allowed on shore creek or inlet.**
11. Permits are required for all persons over the age of 14. Those 14 and under must be accompanied by a permit holder whose limit is not increased by the presence of the child.
12. **All shellfish are limited to 32 quarts per week mixed species.**
13. It is unlawful for a person to harvest any part of another's limit.
14. No shellfish taken may be sold, wasted, or bartered in any manner.
15. The holder of permits issued for digging and taking shellfish, eels and sea worms shall conform to Chapter 130 of the M.G.L. and any subsequent amendments thereto.
16. **No commercial shell fishing will be allowed in Kingston waters.**
17. License Fees Per Person: Residents 62 years or older - \$10.00, Residents under 62 years - \$25.00, Non-Residents - \$65.00 which includes a parking permit conditional for Grays Beach.
18. **It is illegal to dig shellfish between yellow markers, buoys or nets.** Markers indicate Town of Kingston Aquiculture area – Violators will be prosecuted.

CONDITIONAL RAINFALL AREA

From the rear of the Concession at Grays Beach Northwesterly to the gazebo at 54 Shore Road, Then Northerly to Cripple Rocks, Then Southeasterly to the shellfish buoy in front of Howland's Lading, Duxbury, then Southerly to the white shellfish buoy at the SP 6 Marker, Then Westerly to Boundry Lane, Kingston, including shoreline.

EXCEPTIONS

NO SHELL FISHING ON THE SHORELINE BETWEEN THE CONCESSIONS STAND SOUTHEASTERLY TO BOUNDRY LANE.

1. Signs with different colored panels will indicate open or closed shell fishing
In **CONDITIONAL RAINFALL AREA.**
 - A. Yellow Panel in sign (Shell fishing is open)
 - B. No Panel or Red Panel indicates (Shell fishing closed)
 - C. Shell fishing is closed for 5 days after .3" (3/10ths) of rainfall.
 - D. You may call the recorded message at **781 585-0519** to find out if shell fishing is open on a given day.

GENERAL REGULATIONS 1-18 ALSO APPLY IN THE CONDITIONAL RAINFALL AREA.