

# Town of Westport Recreational Shellfishing Rules and Regulations



**I. Purpose:** These Regulations are hereby adopted by the Shellfish Commission of the Town of Westport for the purpose of protecting and propagating shellfish as described in Section 111 (A) herein within the Town of Westport in order to restore and prevent the serious depletion of this natural resource.

No person shall take, remove, or carry away shellfish of any kind from the shores, beaches, flats, and waters within the jurisdictional boundaries of the Town of Westport, except as specifically provided herein.

## **II. Definitions:**

**Jurisdictional boundary:** Recreational area refers to the area known as "Cockenoe Flats" which encompasses the area that lies between the southern boundary of Saugatuck Shores (low water mark) and the northern shore of Cockenoe Island. Recreational area(s) also include those designated areas, which are classified by the Department of Agriculture, Bureau of Aquaculture (DA/BA) as Approved or Conditionally Approved with the exception of those commercially leased, owned or franchised areas.

**Shellfish:** Means mussels, oysters and all varieties of clams, and whole and roe-on scallops, but does not include scallops if the final product is the shucked adductor muscle only.

**III. Prohibited area:** Shellfishing areas classified by the DA/BA, may be temporarily or permanently closed by the DA/BA or the Town Director of Health for the harvesting of shellfish contingent upon specified events for the protection of public health.

Shellfish shall not be taken for consumption, bait, or any other use from closed shellfishing areas.

**IV. Penalties:** Any person who violates any of these regulations shall be fined not more than fifty dollars (\$50.00) or imprisoned not more than thirty days or both. Any person who violates any provision of these regulations shall also be subject to such other penalties and remedies as the law may provide.

Any permit may be suspended or revoked by the Shellfish Commission's designee upon the recommendation of the Marine Police, Shellfish warden, Deputy Warden, or other enforcement agent.

Any permittee has the right to appeal any revocation or suspension at a regularly scheduled meeting after written request to the Commission.

**V. Recreational harvest:** Only the collection of shellfish by an individual for personal consumption or consumption by such individual's family is allowed in the recreational area(s).

## **Daily possession limit and hours:**

Each permittee is permitted to harvest and take a total maximum quantity of one-half (½) bushel of shellfish during any 24-hour period in accordance with CGS Sec 26-235.

Shells or shellfish shall not be taken from any place in the recreational area(s) of the Town of Westport between sunset and sunrise.

## **Methods of harvesting and size limits:**

No rake, tongs, dredge, or other device shall be used for taking any variety of shellfish, within the recreational area(s) of the Town of Westport, with spaces or openings between the teeth or prongs of less than one (1) inch.

No recreational permittee shall use any power-driven tool or other commercial device, such as a bull rake, to harvest shellfish within the limits of the recreational area(s).

No round or hard-shell clams less than one (1) inch in thickness, or which will pass through a ring of one and one-half (1.5") inches internal diameter shall be taken. No long-neck clams (steamers) less than one and one-half (1.5") inches in length shall be taken. No oysters less than three (3.0") inches in length shall be taken. No razor clams less than four (4.0") inches shall be taken. Mussels must not be taken if less than two (2.0") inches in length. If any shellfish are taken not meeting these minimum specifications, they shall without unnecessary injury, be returned to the waters immediately.

No person shall deface or remove any sign posted by the Commission.

**CALL BEFORE YOU DIG:  
203-838-9807**



**VI. Recreational permits:** A Westport recreational shellfishing permit is required for anyone harvesting shellfish in the recreational area(s) of the Town of Westport.

Each permittee shall pay the following fees for a permit when issued:

CT Resident Adult Annual Permit (17 and older)*	\$20.00
CT Resident Senior Annual Permit (65 and older)*	\$10.00
Out of State Adult Annual Permit (17 and older)	\$50.00
Out of State Senior Annual Permit (65 and older)	\$25.00



\* Connecticut Resident includes renters who present a rental agreement within the State of CT or State of CT photo identification.

Children under the age of 17 are not required to have a shellfishing permit, but must be accompanied by a permitted adult and the combined harvest of said minor and permit holder shall not be more than one-half (1/2) bushel.

\*\*Permits may be replaced for a fee equal to the cost of the original permit with replacement limited to once a year.

Permits issued by the Westport Shellfish Commission will be issued between the dates of January 1<sup>st</sup> and December 31<sup>st</sup> of each calendar year and, unless revoked, shall be valid from the time of issuance for the balance of the calendar year in which the same is issued.

Permits issued for the taking of shellfish within the recreational area(s) of the Town of Westport shall be prominently displayed by the permittee when harvesting shellfish.

**VII. Enforcement:** The Westport Police Department is authorized to enforce these regulations.

The Westport Shellfish Commission may appoint a Shellfish Warden, Deputy Wardens, and other enforcement agents as the Commission shall deem appropriate to secure compliance to provisions of these regulations. The term of any such appointment shall be the discretion of the Shellfish Commission, but in no event shall exceed one (1) year.

The Shellfish Warden, Westport Police, or other enforcement agents may confiscate the recreational shellfishing permit or license of any person who violates any provision of these regulations, the CGS, or other regulations governing state and local shellfish.

**VIII. Liability waiver and warning:** The Board of Selectmen and the Town of Westport are not responsible for injuries or damage suffered by shellfishermen while within Westport's jurisdictional waters and coastal areas. The holder of this permit, and all in accompaniment, hereby agrees to assume all risk of injury and damage arising out of these conditions by applying for, paying, and using this license. By applying for and accepting a shellfish permit, the holder recognizes that conditions along shorefront areas contain hazards and dangers such as deep holes, uneven ground and drop-offs that may be hazardous. By shellfishing within Westport's

boundaries, the holder of a shellfish permit agrees to assume all risks and liabilities inherent in this activity, including, but not exclusively, those flowing from the natural and man-made hazards of Westport's coastal areas.

**\*Consumer Advisory: Persons with underlying illness should consult their physician before consuming any raw or undercooked protein, including but not limited to eggs, poultry, beef and shellfish.**



Status discs (red = closed and white = open) are located on the beach at the end of Canal Road and at Compo Beach at the western end of Cedar Point (the Cannons).

Shellfishing information:

[www.Westportct.gov](http://www.Westportct.gov)

then "click" on Conservation Dept. or look for the direct link to shellfishing information.

(5/07/08)