

BE referred to in this section as the ["Flats."] "FLATS": The portion of the Chesapeake Bay and tributaries lying south of a line drawn east from Concord Lighthouse in Harford County to Carpenters Point on the western shore of Cecil County, and north of a line beginning at the lighthouse on Turkey Point in Cecil County and drawn westerly to a point [half a] ONE-HALF mile north of the northerly part of Spesutie Island, then continuing the line westward but at no time approaching nearer than [a half] ONE-HALF mile from the northern end of this island and the adjacent mainland until it reaches the Harford County shore at or near Oakington.

(b) (1) A person may hunt wild waterfowl only by means of body booting or from stationary blinds, blind sites, and other licensed gunning rigs which shall be without power, except oars, and may be used in shooting or gunning over decoys. However, an outboard motor may be used on a sneak boat to make the run back to "john goose" or cabin boat after the scull has been made and the shots taken, but [no shots may] SHOTS MAY NOT be fired while the motor is attached, except as permitted by federal law or rule or regulation.

(c) (1) A person may not hunt wild waterfowl in or over the Flats from a boat of any [kind] KIND, except [one] A BOAT permitted by the provisions of this title.

(2) On the Flats, a person may not possess a gunning rig less than the minimum size provided in § 10-609(a) OF THIS SUBTITLE, except when used at a blind site as provided by law. The possession of any gunning rig less than minimum size by any person on the Flats between November 1 and February 1, following, shall be prima facie evidence of a violation of this section.

(3) A person may not sail any vessel or craft which has connected or in tow any hunting paraphernalia ordinarily used for hunting wild waterfowl on the Flats on any [day] DAY, except a legal gunning day. However, to secure a berth for legal gunning days any boat or gunning rig may use the main channel between 6 p.m. and 12 o'clock midnight on the evening of the preceding day to reach the waters above a line from Point Concord Lighthouse in Harford County to Stumps Point in Cecil County, and also may use the main channel to reach the waters below a line from Locust Point in Harford County to Turkey Point in Cecil County. Any person, boat, or any device may not cross these lines until 3:15 a.m. of a legal gunning day. A person may not cross this line to set a gunning rig in any boat other than [one] A BOAT carrying or towing the entire gunning rig.

(4) A gunning rig or any craft connected with a rig, whether or not anchored, may not be on the Flats before 3:15 a.m. local standard time on any gunning day.

(5) In addition to any penalty provided by this title, any natural resources police officer or any law enforcement officer who finds any gunning rig violating this provision shall seize [it] THE GUNNING RIG at once and remove [it] THE GUNNING RIG from the Flats. The vessel may not be returned to the Flats until the case is heard and determined.

(d) Any person who is a riparian owner on the Chesapeake Bay or the northeast river adjacent to the lines defined in this section[,] or [his] THE OWNER'S assignee[,]