

*in the judgment of the Commission of Tidewater Fisheries it shall seem necessary or desirable to protect or promote the growth of soft shell clams, by any restorative measures which the Commission of Tidewater Fisheries may deem advisable.*

*(q) Procedure of Closing an Area—Before closing any soft shell clam area the Department of Tidewater Fisheries shall first give notice by at least one advertisement in a newspaper of its intention to close said area. Said notice shall describe the area to be closed and the proposed date of closing, and shall be published in a newspaper of general circulation in the county where such area is located. No area may be closed, however, until the lapse of forty-eight hours after the publication of said notice.*

*(r) Reopening and Reclosing of an Area—After closing an area the Department of Tidewater Fisheries is authorized to reopen said area whenever, in the judgment of said Department, such reopening is advisable. An area shall be reopened by notice of such reopening published in the same newspaper or newspapers that published the notice or notices of closing; provided, however, no area shall be reopened until a lapse of forty-eight hours from the publication of the notice of reopening. The Department of Tidewater Fisheries shall have authority to close immediately by oral or written notification to clambers any area which has been reopened.*

*(s) Taking or Catching Soft Shell Clams in Closed Areas—It shall be unlawful to take or catch soft shell clams, with any device or rig, upon any area which has been closed by any rule or regulation of the Commission of Tidewater Fisheries.*

*(t) License to Use Other Gear—Any person between the age of fourteen and sixty-five years desiring to take or catch soft shell clams for sale from the waters of this State with those devices other than hydraulic or mechanical dredges, as set out in Section 651 (a) of this Article, shall first obtain a license therefor from the Clerk of the Circuit Court of the County wherein said person resides. The applicant shall pay the sum of Two Dollars and Fifty Cents (\$2.50) for such license and, in addition thereto, Twenty-five Cents (25¢) to the Clerk of the Circuit Court for issuing the same. Said license shall be valid for the calendar year when issued and shall be exhibited upon demand by any officer of the Department of Tidewater Fisheries.*

*(u) Penalties—Any person violating any provision in this Section 663A shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars, or be imprisoned in the House of Correction not less than three months nor more than six months, or be both fined and imprisoned at the discretion of the Court; and any boat or rig used in any such violation may be seized by the Department of Tidewater Fisheries and held until any fine assessed by the Court be paid in full. Any person found guilty of a third violation of the same provision shall, in addition to a fine or fine and imprisonment, have his license revoked by the Commission of Tidewater Fisheries.*

**(B) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PERMIT ANY HYDRAULIC, MECHANICAL OR OTHER KIND OF POWER DREDGE OR RIG TO BE USED FOR THE TAKING OF CLAMS WITHIN FIVE MILES OF ANY OYSTER BAR IN THE WATERS OF ANNE ARUNDEL COUNTY.**