

SHELLFISH MAY BE DREDGED ON RIPARIAN GROUNDS BY THE RIPARIAN OWNER BY ANY MEANS IN ANY CREEK, COVE, OR INLET.

(E) EXCLUSIVE RIGHT OF WHARF OWNER TO GROW AND HARVEST SHELLFISH.— THE OWNER OF ANY WHARF OR OTHER STRUCTURE CONSTRUCTED ON OR ABOUT THE WATER AND APPROVED BY THE CORPS OF ENGINEERS, SHALL HAVE EXCLUSIVE USE, FOR THE PURPOSE OF GROWING AND HARVESTING SHELLFISH, OF THE AREA BELOW HIS WHARF OR STRUCTURE.

REVISOR'S NOTE: Subsection (a) presently appears as Article 66C, section 708(aa) of the Code. The initial provisions of this subsection are proposed for deletion as superfluous because the essence of these sections is that a riparian owner has the exclusive use of a creek, cove, or inlet if its mouth is less than 100 yards at low water. The phrase "bedding or sowing" is proposed for deletion because these two verbs connote the same act as "depositing", according to the department.

Subsection (b) presently appears as Article 66C, section 698(i) (2), of the Code and set forth here for organizational purposes.

The only other changes made are in style.

SUBTITLE 12. PENALTIES AND FINES, SEARCHES, SEIZURES AND FORFEITURES[ , AND SEVERABILITY]].

4-1201. PENALTIES.

(A) PENALTY FOR FIRST OFFENSE. — ANY PERSON WHO VIOLATES ANY PROVISION OF THIS TITLE IS GUILTY OF A MISDEMEANOR. UNLESS ANOTHER PENALTY IS SPECIFICALLY PROVIDED ELSEWHERE IN THIS TITLE, THE PERSON, UPON CONVICTION, IS SUBJECT TO A FINE NOT EXCEEDING \$500, OR IMPRISONMENT NOT EXCEEDING THREE MONTHS, OR BOTH, WITH COSTS IMPOSED IN THE DISCRETION OF THE COURT.

(B) PENALTY FOR SECOND OR SUBSEQUENT OFFENSE. — UNLESS ANOTHER PENALTY IS SPECIFICALLY PROVIDED ELSEWHERE IN THIS TITLE, ANY PERSON FOUND GUILTY OF A SECOND OR SUBSEQUENT VIOLATION OF ANY PROVISION OF THIS TITLE IS SUBJECT TO A FINE NOT EXCEEDING \$1,000, OR IMPRISONMENT NOT EXCEEDING ONE YEAR, OR BOTH, WITH COSTS IMPOSED IN THE DISCRETION OF THE COURT. FOR THE