

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2003.

Approved April 22, 2003.

**CHAPTER 174**  
**(House Bill 735)**

AN ACT concerning

**Calvert and St. Mary's Counties - Shellfish - Harvesting by Wharf Owners**

FOR the purpose of allowing in Calvert and St. Mary's counties the owner of certain wharves or other structures on or about the water to have the exclusive use of certain areas around the wharf or structure to grow and harvest shellfish; providing for the ownership of certain oysters in Calvert and St. Mary's counties if the oysters are grown in certain containers that are attached to certain piers and wharves; and generally relating to oyster cultivation in Calvert and St. Mary's counties.

BY repealing and reenacting, with amendments,

Article - Natural Resources

Section 4-11A-16(b)

Annotated Code of Maryland

(2000 Replacement Volume and 2002 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article - Natural Resources**

4-11A-16.

(b) 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:

(1) Below the owner's wharf or structure; ~~and~~

(2) In ~~Talbot and~~ CALVERT, Howard, ST. MARYS, AND TALBOT counties only, within 5 feet of the owner's wharf or structure, oysters grown in trays, baskets, or containers that are attached to a private pier or wharf by lines or ropes that are the property of the owner of the pier or wharf; ~~AND~~

~~(3) IN CALVERT AND ST. MARYS COUNTIES ONLY, WITHIN 15 FEET OF THE OWNER'S WHARF OR STRUCTURE, OYSTERS GROWN IN TRAYS, BASKETS, OR CONTAINERS THAT ARE ATTACHED TO A PRIVATE PIER OR WHARF BY LINES OR ROPES THAT ARE THE PROPERTY OF THE OWNER OF THE PIER OR WHARF.~~