

the entire area, which may be opened and closed, and reopened and reclosed as the Commission may deem necessary and expedient; the methods of taking or catching soft shell clams; the circumstances of their possession and their marketing; as the Commission may judge to be necessary in the best interests of the State; provided that it shall be unlawful to take or catch or attempt to take or catch soft shell clams with a hydraulic or mechanical dredge or with any other type gear upon any natural oyster bar as defined in the first paragraph of Section [649 (i)] 696 (i) of this article, and further in the waters of Kent County it shall also be unlawful to take or catch, or attempt to take or catch, soft shell clams by hydraulic or mechanical dredge, or by any other means:

(1) Within 50 yards of any commercially productive oyster tonging area defined on the charts of the Commission of Tidewater Fisheries, or as defined under Section [649 (i)] 696 (i) of this article, or

(2) Within 150 feet of any bulkhead, wharf or pier, constructed or erected in, out in, over or under any of the waters of this State, or

(3) Within 1000 feet of any public bathing beach during the months of May, June, July, August and September of any year, or

(4) Within 100 yards of any private bathing beaches, during the months of May, June, July, August and September; provided that the private bathing beaches shall be staked and marked by the owners thereof upon which shall be lettered "bathing beach" and the owner's name, of a readily discernible size, or as may be required by any rule or regulation of the Commission of Tidewater Fisheries; provided, however, that the linear measurement along the shore line for the first such area shall not exceed a distance of 100 yards for each landowner. In the event that there shall be more than one such private bathing beach belonging to the same landowner, or one private bathing beach which extends for a distance of more than 100 yards, the Commission of Tidewater Fisheries may in their discretion issue a numbered permit for more than one such private beach or for an area in excess of 100 yards. Any extended area or areas shall be marked and the areas designated as the Commission of Tidewater Fisheries shall prescribe in its rules and regulations, or

(5) On Sunday, or between sunset and one-half hour after sunrise on any other day, or to land soft shell clams before sunrise or later than one (1) hour after sunset, or

(6) Within 100 yards of the mean low watermark of any shore line, or

(7) Between October 1 and the last day of the wild fowl hunting season, all of the waters of Kent County as defined herein except all that area of the Chesapeake Bay waters known as Swann Point Bar, extending northward from Navigation Buoy No. 3 to a line 600 yards southward of Swann Point, excepting and excluding all areas within fifty yards of natural oyster bars as shown on published charts of 1906-1912 on record with the State Department of Tidewater Fisheries.

(i) License to use gear other than hydraulic, mechanical or other dredge.—Any person desiring to take or catch soft shell clams for sale from the waters of Kent County with devices other than hydraulic, mechanical or other dredge, as set out in Section [651 (a)]