

“PERTAINING TO THE USE OF PATENT TONGS”

REGULATION 4 VAC 20-520-10 ET. SEQ.

§ 4VAC20-520-10 Purpose.

In the past there have been numerous incidents of patent tongs used by clam fisherman disrupting electrical service to the George P. Coleman Memorial Bridge by severing or damaging submerged electrical cabling adjacent to the bridge. The purpose of this chapter is to prohibit damage to the bridge cables and fishermen and their gear and thereby maintain the general public welfare and safety in the seafood industry.

Statutory Authority §28.2-201 of the Code of Virginia.

Historical Notes

Derived from VR450-01-0067 §1; eff. November 1, 1990; amended, Virginia Register Volume 11, Issue 22, eff. July 1, 1995.

§ 4VAC20-520-20 Area closed to patent tonging.

- A. It shall be unlawful for any person to operate a patent tong under any portion of the George P. Coleman Memorial Bridge.
- B. It shall be unlawful for any person to operate a patent tong within 300 feet of the eastern or downstream side of the George P. Coleman Memorial Bridge.
- C. It shall be unlawful for any person to operate a patent tong on the western or upstream side of the George P. Coleman Memorial Bridge within a 400 foot radius of the two center caissons, numbered 1S and 1N.

Statutory Authority §28.2-201 of the Code of Virginia.

Historical Notes

Derived from VR450-01-0067 §2; eff. November 1, 1990; amended, Virginia Register Volume 11, Issue 22, eff. July 1, 1995.

§ 4VAC20-520-30 Penalty.

As set forth in §28.2-903 of the Code of Virginia, any person violating any provision of this chapter shall be guilty of a Class 3 misdemeanor and a second or subsequent violation of any provision of this chapter committed by the same person within 12 months of a prior violation is a Class 1 misdemeanor.

Statutory Authority §28.2-201 of the Code of Virginia.

Historical Notes

Derived from VR450-01-0067 §3; eff. November 1, 1990; amended, Virginia Register Volume 11, Issue 22, eff. July 1, 1995.

"PERTAINING TO THE USE OF PATENT TONGS"

REGULATION 450-01-0067

PREAMBLE

This regulation prohibits the use of patent tongs in the vicinity of the electrical cables supporting the George P. Coleman Memorial Bridge.

This regulation is promulgated pursuant to the authority contained in §28.2-201 of the Code of Virginia. This regulation amends and re-adopts previous Regulation 450-01-0067 which was adopted October 23, 1990 and effective November 1, 1990. The effective date of this regulation is July 1, 1995.

§1. PURPOSE:

In the past there have been numerous incidents of patent tongs used by clam fishermen disrupting electrical service to the George P. Coleman Memorial Bridge by severing or damaging submerged electrical cabling adjacent to the bridge.

The purpose of this regulation is to prohibit damage to the bridge cables and fishermen and their gear and thereby maintain the general public welfare and safety of the seafood industry.

§2. AREA CLOSED TO PATENT TONGING:

- A. It shall be unlawful for any person to operate a patent tong under any portion of the George P. Coleman Memorial Bridge.
- B. It shall be unlawful for any person to operate a patent tong within 300 feet of the eastern or, downstream, side of the George P. Coleman Memorial Bridge.
- C. It shall be unlawful for any person to operate a patent tong on the western, or upstream, side of the George P. Coleman Memorial Bridge within a 400-foot radius of the two center caissons, numbered 1S and 1N.

§3. PENALTY:

As set forth in §28.2-903 of the Code of Virginia, any person, violating any provision of this regulation shall be guilty of a Class 3 misdemeanor, and a second or subsequent violation of any provision of this regulation committed by the same person within twelve months of a prior violation is a Class 1 misdemeanor.

"PERTAINING TO THE USE OF PATENT TONGS"

REGULATION 450-01-0067

This is to certify that the foregoing is a true and accurate copy of the regulation passed by the Marine Resources Commission, pursuant to the authority vested in the Commission by §28.2-201 of the Code of Virginia, duly advertised according to statute, and recorded in the Commission's minute book at the meeting held in Newport News, Virginia on June 27, 1995.

COMMONWEALTH OF VIRGINIA  
MARINE RESOURCES COMMISSION

BY: *William A. Pruitt*  
COMMISSIONER

Subscribed and sworn to before me this 27<sup>th</sup> day of June 1995.

My commission expires June 30, 1997.

*Virginia L. Chappel*  
Notary Public