

**"PERTAINING TO ON-SHORE LOADING AND UNLOADING  
OF SHELLFISH FROM CONDEMNED AREAS"**

**REGULATION 4 VAC 20-980-10 ET SEQ.**

**PREAMBLE**

This chapter establishes locations for the on-shore loading and unloading of shellfish taken from condemned areas. This chapter is promulgated pursuant to the authority contained in §§ 28.2-819 and 28.2-201 of the Code of Virginia.

This chapter rescinds Order Number 83-4 which was adopted and made effective April 19, 1983. This chapter rescinds Order Number 84-5 which was adopted May 22, 1984 and effective May 23, 1994. This chapter rescinds chapter 4 VAC 20-800-10 et seq. which was adopted and effective August 26, 1996. This chapter rescinds chapter 4 VAC 20-820-10 et seq. which was adopted May 5, 1987 and effective May 6, 1987. This chapter rescinds chapter 4 VAC 20-840-10 et seq. which was adopted April 5, 1988 and effective May 2, 1988. This chapter rescinds chapter 4 VAC 20-870-10 et seq. which was adopted March 27, 1990 and effective April 1, 1990. The effective date of this regulation is May 30, 1997.

**4 VAC 20-980-10. PURPOSE.**

The purpose of this chapter is to promote efficiency in the utilization of condemned shellfish resources.

**4 VAC 20-980-20. LISTING OF ON-SHORE LOADING AND UNLOADING LOCATIONS.**

- A. The following locations shall be designated for the on-shore loading and unloading of clams taken from condemned areas:
1. L. D. Amory, Hampton  
101 South King Street  
Hampton, VA
  2. F. D. Hunt's Dock  
Sunset Creek  
Hampton, VA
  3. Jones Marina  
519 Bridge Street  
Hampton, VA

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4. SeaRich Seafood South  
205 Jefferson Avenue  
Newport News, VA
  5. Old Point Packing, Inc.  
817 Jefferson Avenue  
Newport News, VA
  6. Casey Seafood, Inc.  
807 Jefferson Avenue  
Newport News, VA
  7. Lynnhaven Waterway Marina, Inc.,  
2101 Great Neck Road  
Virginia Beach, VA
- B. It shall be unlawful for any person to load or unload clams taken from condemned areas, at any shore-side location that is not specified in subsection A of this section or is not established according to the provisions of 4 VAC 20-980-30.
- C. The following locations shall be designated for the on-shore loading and unloading of oysters taken from condemned areas:
1. Bevans Oyster Company  
Route 1  
Kinsale, VA
  2. State Public Dock in Perrin  
Gloucester, VA
  3. Public Boat Landing, Tylers Beach  
Rushmere, VA
  4. Back River Seafood  
435 Messick Road  
Poquoson, VA
- D. It shall be unlawful for any person to load or unload oysters taken from condemned areas, at any on-shore location that is not specified in subsection C of this section or is not established

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according to the provisions of 4 VAC 20-980-30.,

4 VAC 20-980-30. MODIFICATION OF THE LISTING OF DESIGNATED LOCATIONS.

The Commissioner of Marine Resources or his designee shall be authorized to modify the listing of approved on-shore loading and unloading locations, in order to promote efficient utilization of condemned shellfish resources.

4 VAC 20-980-40. 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 twelve months of a prior violation is a Class 1 misdemeanor.

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This is to certify that the foregoing is a true and accurate copy of the regulation passed by the Marine Resources Commission, pursuant to authority vested in the Commission by §§ 28.2-201 and 28.2-819 of the Code of Virginia, duly advertised according to statute, and recorded in the Commission's minute book, at meeting held in Newport News, Virginia on May 27, 1996.

COMMONWEALTH OF VIRGINIA  
MARINE RESOURCES COMMISSION

*William A. Pruitt*  
BY: *William A. Pruitt*  
William A. Pruitt  
Commissioner

Subscribed and sworn to before me this 13th day of May, 1997.

My Commission expires December 31, 2000.

*Rebecca K. Cawthon*  
Notary Public