

Town of Brunswick, Maine

COASTAL RESOURCE OFFICE

MEMORANDUM

TO: Shellfish Committee

FROM: Dan Devereaux, Coastal Resource Manager

DATE: November 24, 2025

SUBJECT: Comparison of Residency Rules of Area Municipalities

Resident and Non-Resident Criteria for Casco Bay Towns

A list of all the shellfish ordinances in Maine can be found at this link. [Maine DMR General Town Shellfish Information](#).

I could only locate two towns along the coast that allow a portable license, both within Casco Bay. Harpswell and Freeport allow some type of portability

Harpswell (Portable after 5 years) (Does not deal with license reduction instances)

301.11 Resident Commercial – Non Resident License The holder of any residential commercial license, who changes their permanent and principal place of residence to a location outside of the Town of Harpswell and who notifies the Town Clerk within 30 days of change, after having resided and held that license in Harpswell for five (5) consecutive or more years from the date of change of residency, when the license holder may obtain a Resident Commercial to Non Resident Commercial License without the need to participate in the new commercial license selection process as described in

Section 304. 301.11.1 Notwithstanding the provisions of M.R.S. § 302 or any law to the contrary and regardless of the effective date of this Section 301.8, the date of applicability of this section shall be April 1, 2022, such that license renewals for the year beginning on that date will be affected thereby, to the extent permitted by law.

301.11.2 Any license that is not renewed after having been converted as a result of a change in residency as described above shall, upon reissuance, be allocated to the type of license previously issued using the selection process as described in Section 304.

Freeport Has (Portable after 1 year) (Does not deal with license reduction instances)

L. Change of Residency: The holder of a non-resident commercial license, who changes their permanent, fixed place of abode and principal place of residence to a location within the Town of Freeport, and who notifies the Town Clerk within 30 days of the change, may retain their non-resident commercial license until the first renewal date after the change of residency, when the license holder may obtain a resident

commercial license without the need to participate in the new commercial license selection process described in Section 32-601(I) above.

The holder of any residential commercial license, who changes their permanent, fixed place of abode and principal place of residence to a location outside the Town of Freeport, and who notifies the Town Clerk within 30 days of the change, may retain their residential commercial license until the first renewal date after the change of residency, when the license holder may obtain a non-resident commercial license without the need to participate in the new commercial license selection process described in Section 32-601(I) above. Any license that expires after having been converted as a result of a change of residency as described above shall, upon re-issuance, be allocated to the type of license originally issued using the selection process described in Section 32-601(I) above.

Scarborough (Not Portable 10% of all categories of licenses are issued to non-residents)

A. Designation, Scope and Qualifications:

1. Resident Commercial Shellfish License: The license is available to residents of the Town of Scarborough who are 18 years or older and entitles the holder to dig and take any amount of shellfish from the shores and flats of this municipality and reciprocating municipalities.[Amended 03/21/13]

West Bath (Not Portable 10% of all categories of licenses are issued to non-residents)

D. Limitation on Shellfish Harvesting Licenses: Because the shellfish resources are limited and because a harvester can be expected to harvest a certain volume of clams per year, the number of harvesters must be controlled. This number may vary from year to year, depending upon estimates of the resource capabilities and management requirements consistent with good resource utilization. The West Bath Marine Resource Committee, with the approval of the Commissioner of Marine Resources, at least thirty (30) days prior to the first date of license issuance, will establish the number of commercial licenses to be permitted for that license year. A number of licenses not less than ten percent (10%) of the total number of commercial licenses provided for residents shall be reserved and provided for non-residents. The total number of resident and non-resident commercial licenses, once determined, shall be made known to the Town Clerk in order to facilitate issuance of licenses.

Yarmouth (Not Portable 10% of all categories of licenses are issued to non-residents)

B. DESIGNATION, SCOPE, AND QUALIFICATIONS

Resident Commercial Shellfish License: The license is available to residents for the Towns of Yarmouth/North Yarmouth and entitles the holder to dig and take any amount of shellfish from the shores and flats of this Municipality and consistent with the provisions of this Ordinance.

Cumberland (Not Portable 10% of all categories of licenses are issued to non-residents)

Commercial licenses.

(1) Annual resident commercial shellfish license. This license is available to residents and/or taxpayers of the Town of Cumberland and entitles the holder to dig and take two bushels of shellfish per day from the shores and flats of this municipality and reciprocating municipalities in the areas to be

designated pursuant to § 223-7 of this chapter.

(2) Annual nonresident commercial shellfish license. This license is available to nonresidents of this municipality and entitles the holder to dig and take two bushels of shellfish per day from the areas designated pursuant to § 223-7.

(3) Qualifications specifically to commercial shellfish licenses.

(a) The Shellfish Conservation Commission may specifically designate the period of validity as well as the areas open to commercial harvesting each year.

(b) A shellfish license must be on your person when harvesting shellfish

Phippsburg (Not Portable 10% of all categories of licenses are issued to non-residents)

(b) A Commercial Resident license holder moves out of town and establishes a fixed, permanent and principal home elsewhere. In this case they must surrender their license within 30 days. The same applies to a Commercial Nonresident License holder who moves into town. A surrendered license would either be reissued in a manner consistent with the procedures of the "New License Category" and "Unissued License Category" or it may be eliminated by vote of the Shellfish Commission to reduce the number of available licenses in the future as part of a "license reduction through attrition program." However, the number of nonresident commercial licenses allocated can never fall below 10% of the resident commercial licenses allocated.

Georgetown (Not Portable 10% of all categories of licenses are issued to non-residents)

1. For commercial licenses: The term "resident" refers to a person who owns or rents real estate in the Town of Georgetown which is his or her permanent, fixed place of abode and principal place of residence. If a person claiming to be a resident neither owns nor rents real estate in the Town of Georgetown, he or she shall be required to produce such other evidence of residence as the Town Clerk may require. A person shall not qualify as a resident of Georgetown unless he or she has maintained a permanent, fixed place of abode and principal place of residence in Georgetown for three months prior to claiming residence. A person shall cease to be a resident of Georgetown on the date he or she acquires a permanent, fixed place of abode and principal place of residence in any other Town or moves from the Town of Georgetown.

Falmouth (No Commercial Program) Issues recreational licenses to anyone

There shall be the following described license, each of which must be signed by the licensee and by the town clerk to be valid. The license is valid from September 1 to August 31. Recreational shellfish license. This license is available to residents and nonresidents and entitles the holder and one (1) or more guests to dig and take no more than one (1) peck of shellfish for anyone (1) day for the holder. The recreational shellfish license holder may not engage in wholesale or retail sales of harvested shellfish

Arrowsic (Not Portable 10% of all categories of licenses are issued to non-residents)

Resident: The term "resident" refers to a person who has been domiciled in this town for at least six months immediately prior to the time his or her claim of such residence is made, and who shall remain a

resident during the period of time the license is valid.

B. Nonresident: The term "nonresident" means anyone not qualified as a resident under this ordinance. C. Student: The term "student" refers to a person who is between the ages of 12 and 18 inclusive and is a full-time student in a primary or secondary education program. Proof of age and school attendance may be required.