

§12661. Ice fishing shacks

1. Prohibitions and requirements. A person who owns any shack or temporary structure used for ice fishing:

A. Must remove or cause to be removed the shack or structure on the ice of any inland waters:

(1) In any area of the State in which there is a closed ice fishing season, by ice out or 3 days after the close of the ice fishing season established by the commissioner by rule pursuant to section 12454, whichever is earlier; and

(2) In any area of the State in which there is no close of the ice fishing season pursuant to section 12454, by ice out or March 31st, whichever is earlier; or [PL 2019, c. 325, §8 (AMD).]

B. [PL 2009, c. 214, §12 (RP).]

C. Shall have painted on the outside of the shack or structure in 2-inch letters the owner's name and address when the shack or structure is on the ice of any inland waters. [PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §283 (AMD); PL 2003, c. 655, Pt. B, §422 (AFF).] [PL 2019, c. 325, §8 (AMD).]

2. Penalty.

[PL 2011, c. 253, §31 (RP).]

3. Removal of abandoned ice-fishing shacks. A person may not leave a structure on another person's land without permission from the landowner. Notwithstanding the provisions of Title 33, chapter 45 and Title 17, section 2263-A, a landowner on whose property an abandoned ice-fishing shack as defined in Title 17, section 2263 is left in violation of this section may remove or destroy the shack. The landowner may recover any costs of removing or destroying the shack from the owner of the shack in a civil action.

[PL 2019, c. 325, §9 (AMD); PL 2019, c. 498, §8 (AMD).]

4. Penalty. The following penalties apply to violations of this section.

A. A person who violates this section commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged. [PL 2011, c. 253, §33 (NEW).]

B. A person who violates this section after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [PL 2011, c. 253, §33 (NEW).]

[PL 2011, c. 253, §33 (NEW).]

SECTION HISTORY

PL 2003, c. 414, §A2 (NEW). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 655, §§B283,284 (AMD). PL 2003, c. 655, §B422 (AFF). PL 2005, c. 397, §A9 (AMD). PL 2009, c. 214, §§11, 12 (AMD). PL 2011, c. 253, §§31-33 (AMD). PL 2015, c. 301, §39 (AMD). PL 2017, c. 164, §22 (AMD). PL 2019, c. 325, §§8, 9 (AMD). PL 2019, c. 498, §8 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024. The text is

subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.