

LIOC - Endangered Species Conservation Federation, Inc.

Model Regulations For Captive Wild/Exotic Felines

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Introduction

The purpose of these regulations is to protect the citizens and wildlife of *(Insert name of state, county, city, or town)* by establishing minimum requirements for the keeping of non-domestic felines in captivity. Applicants and licensees will be held accountable for full compliance with these regulations. This includes maintaining wild felines in a sanitary, safe, humane manner, and protecting the public at all times. Wild felines held in captivity are subject to inspection by authorized representatives of *(Insert name of state, county, city, or town)* at any time. Failure to comply with requirements may result in legal action and/or revocation of authorization to possess wildlife.

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Section I - Definition of Classes of Wild Felines

For the purpose of public safety, feline wildlife have been divided into three classes. Class I, II and III feline species are defined as:

Class I feline species include: Tigers (*Panthera tigris*), Lions (*Panthera leo*), Leopards (*Panthera pardus*), Jaguars (*Panthera onca*), or any hybrid thereof.

Class II feline species include: Cougars, (*Felis concolor*), Cheetahs (*Acinonyx jubatus*), Snow leopards (*Panthera uncia*), Clouded leopards (*Neofelis nebulosa*) or any hybrids thereof.

Class III feline species includes all other species of wild cats including but not limited to: Servals, Bobcats, Canadian Lynx, European Lynx, Caracals, Jungle Cats, Ocelots, Fishing cats, Asian Leopard Cats, European Wildcats, Margays, Geoffroy cats or any hybrid thereof except for domestic/wild feline hybrid crosses.

Section II - Permits for Possession of Wild Felines in Captivity

No person shall possess any native or non-native non-domestic felines in captivity except as authorized by permit or exemption. Upon payment of the fees set forth below, and upon compliance with the other provisions of this act, (*Insert name of designated regulatory agency*) shall issue a permit to possess, exhibit and/or breed exotic or wild felines.

1. All permittees are required to keep current records of the origins of all permitted felines on hand and records of animal transfers. The recipient's name, address and permit or license number, if required, shall be entered in the transferrer's records and made available for inspection upon request of (*Insert name of designated regulatory agency*) for a period of three years after transfer.

2. Permits will specify which class of feline may be possessed by the permittee. Class I permits allow for the possession of Class I, Class II and Class III felines. Class II permits allow for the possession of Class II and Class III felines. Class III permits only permit possession of Class III felines.
3. Applicants shall be of legal age.
4. Applicants shall not have been convicted of a felony violation of captive wildlife regulations, illegal commercialization of wildlife, or offenses involving cruelty to animals.
5. Upon inception of this act, applicants already in possession of exotic and/or wild felines, shall have 60 days to apply for and be issued a permit for the highest class of animal they possessed as of this date, or for the highest class they can prove ownership of for two consecutive years. Such persons shall be exempt from the experience and testing provisions of this act.
6. Individual applicants, or for facilities operated by corporations the individual responsible for oversight of animal care, shall possess husbandry knowledge and handling experience commensurate with the class of permit requested as follows:
 - a. Class I Species Permits - At least 100 hours of practical experience providing care for one or more animals from a Class I specie obtained over a period of not less than 1 year, or at least 200 hours providing care for one or more animals from a Class II Specie obtained over a period of not less than 2 years.
 - b. Class II Species Permits - At least 100 hours of practical experience providing care for one or more animals from a Class II specie obtained over a period of not less than 1 year, or at least 200 hours providing care for one or more animals from a Class III Specie obtained over a period of not less than 2 years
 - c. Class III Species Permits – No prior experience is required.

7. For purposes of demonstrating compliance, applicants shall submit documentation of such experience, including:
 - a. A description of the specific experience acquired.
 - b. The dates the experience was obtained and the specific licensed location(s) where acquired.
 - c. References of not less than two (2) state or federally licensed facility operators having personal knowledge of the applicant's stated experience.
 - d. Additional documentation may include records of prior permits for the keeping of captive wildlife, or other evidence of prior ownership, employment records, etc.
8. To receive any class license, applicants must demonstrate significant practical knowledge on the subject of wild feline captive husbandry, by achieving a score no less than 80% on a written examination administered by *(Insert name of designated regulatory agency)*, consisting of between 50 and 100 multiple choice questions. Once an applicant is licensed, it is not necessary to repeat this test requirement to change class of license.
9. Applicants must submit a written plan for providing emergency and routine health care including: vaccinations, pest control, parasite control, dietary program, and euthanasia protocol approved by a licensed veterinarian who has signed and dated the plan.
10. A written plan of action shall be prepared and a copy submitted with the application for use in the event of:
 - a. Severe damage to enclosures due to fire, wind, floods or other occurrences caused by natural forces: Potential temporary holding facilities should be identified. Necessary mechanisms to safely transport felines to another holding enclosure shall be on hand.

- b. Animals attacking and/or injuring humans: Include a list of safety equipment such as CO2 fire extinguishers, darting equipment, hot shots, pepper spray, etc. which will be available for use.
 - c. Escape of a animal from its enclosure: Recapture plans should outline the procedures for handling and recapturing escaped felines, equipment to be used, people to be contacted, and the chain of command. Further, licensee must identify the criteria for deciding when to use various restraint methods, including conditions which warrant the use of lethal force.
11. Permit fees set forth by *(Insert name of designated regulatory agency)* shall be commensurate with the actual administrative costs required to administer the permit system. In no case shall permit fees be either punitive or prohibitive. Suggested annual permits fees are \$200 for a Class I permit, \$100 for a Class II permit and \$50 for a Class III permit.

Section III - Renewal Permit to Possess Wild Felines

1. Permittees who wish to continue possession of a wild feline(s) must file an application for permit renewal at least 30 days prior to the expiration date of their permit.
2. Permittees facilities, animals, and records may be inspected by a representative of *(Insert name of designated regulatory agency)* during normal business hours for the purpose of verifying regulatory compliance. The inspector shall give the permittee at least twenty-four (24) hour notice prior to the inspection
3. Prior notification of an inspection is not required if the inspector has reason to believe the health and safety of the public or the animal is in danger if there is a delay.
4. The results of conditions observed by inspectors during their inspections may be considered in determining whether to renew or revoke a permit.

5. Permittees will be granted a minimum of 30 days to correct deficiencies identified during inspections.
6. Permittees have the right to appeal inspection findings to the inspectors' supervisors.

Section IV- Facility Requirements

1. Applicants for permits to possess felines in captivity shall specify the location of the facility at which captive felines shall be maintained, and such facility may be inspected and approved by *(Insert name of designated regulatory agency)* , prior to issuance of the permit.
2. Applicants already possessing wild felines at the enactment of these regulations shall have 1 year to bring their pre-existing caging facilities into compliance under this act.
3. Class I and Class II felines shall not be possessed on any premises consisting of less than two (2) acres of land area. This requirement does not apply to facilities that possess either Class I or Class II felines for at least 30 continuous days prior to the enactment of these regulations.
4. Permitted felines shall not be possessed in multi-unit dwellings unless the dwelling in which they are housed is equipped with private entrance, exit, and yard area.

Caging Requirements

All feline cages and enclosures shall be equipped to provide for the protection and welfare of the animals. Such equipment includes, but is not limited to:

1. Shelter: A structure which shall provide protection from the elements and from extremes in temperature that could be detrimental to the health and welfare of the animal.

2. Nest box or den: An enclosed shelter that provides a retreat area within, attached to, or inside a cage or enclosure, which shall provide protection from the elements and from extremes in temperature that could be detrimental to the health and welfare of the animal.
3. Elevated platform or perching area: A surface or structure, either natural or manmade, positioned above the floor, or above the grade level of the cage or enclosure, that will provide a resting area for the animal(s).
4. Enrichment shall be provided to provide the opportunity for physical stimulation or manipulation compatible with the species. Such enrichments shall be non-injurious, and may include, but are not limited to, boxes, balls, bones, barrels, drums, rawhide, pools, scratch posts, etc.
5. Cages or enclosures housing captive wildlife shall be sufficiently strong to prevent escape and to protect the caged animal from injury, and shall be equipped with barriers to prevent any physical contact with the caged animal by the public. Barriers may be constructed from materials such as fencing, moats, or close-mesh wire, provided that materials used are safe and effective in preventing public contact.
6. A perimeter fence sufficient to deter entry by the public, at least eight (8) feet in height for Class I and Class II animals and six (6) feet in height for Class III animals shall completely surround cages where animals are housed or exercised outdoors. Perimeter fences constructed of materials that allows objects to be passed through them (e.g. chain link, welded wire, etc.) shall be at least three (3) feet from cages or exercise areas.
7. Doors or gates in perimeter fences shall be kept locked when not attended.
8. All cages or enclosures shall be equipped with a safety entrance. A safety entrance is defined as a device that allows a keeper to enter or exit a cage without providing an avenue of escape to an animal. Some examples include a double gated entry-door (airlock), interconnecting cages that can be isolated from each other, a lock-down area, or other comparable device. Safety entrances shall be constructed of materials that are of equivalent strength as that prescribed for cage construction for that particular species.

9. For Class I or Class II cats, cages shall be equipped with a lockout area which allows the keeper to access and clean the cage while the animal is contained in a separate area. This can consist of a den box with a guillotine door that also has access from outside the cage so that it can be cleaned, a series of connecting cages which allows the feline to be in one while the care givers access the other, or some other method that allows positive separation of the animal(s) and the keeper.

10. Caging considered unsafe or otherwise not in compliance with regulatory requirements shall be brought into compliance within 30 days of notification of the non-compliance. In the event the non-compliant condition(s) result in a threat to human safety or the safety of the felines maintained therein, the felines maintained therein shall, at the direction of (*Insert name of designated regulatory agency*), be immediately placed in another enclosure, or if none available at the permitte's facility, at another approved facility, at the expense of the permittee, owner, or possessor, until such time as the unsafe condition is remedied.

Permitted animals seized or taken into custody by (*Insert name of designated regulatory agency*), shall be housed and maintained in a manner consistent with the conditions of the owners permit. If the permittee, owner, or possessor is found guilty of a criminal violation, the permittee, owner, or possessor of such wildlife shall be responsible for payment of all expenses relative to the animal's capture, transport, boarding, veterinary care, or other costs associated with or incurred due to such seizures or custody. Failure to pay such expenses shall be grounds for revocation or denial of permits to such individuals to possess wildlife.

11. Cages should be well braced and securely anchored at ground level to prevent escape by digging or erosion. The fasteners and fittings used in construction shall be of equivalent strength to the material required for cage construction required for the specie(s) to be contained.

12. In areas where the accumulation of significant amounts of drifting snow or sand is not considered probable, open-top outdoor exercise areas are permitted. These areas shall have vertical walls a minimum of 12 feet high, topped by either; (a) An inward angled overhang inclined at an angle between 35 and 55 degrees which is at least two feet in length and of equal strength as the cage walls, or (b) two stands of hot wire one stand located on the inside of the cage approximately 1 foot below the top of the vertical wall and the other at the top.

NOTE: Permittees are ultimately responsible for insuring the design of their containment systems are adequate to prevent escape. Any enclosure which allows a feline to escape is inadequate and therefore non-compliant.

13. Additional facility requirements for each class of felines shall be as follows:

Class I

- a. Outdoor facilities -- Cage construction materials shall consist of not less than nine-gauge chain link fencing or equivalent.
- b. Indoor facilities -- The entire indoor enclosure should be made of nine gauge chain link or equivalent.
- c. If the primary cage is inside a structure, the size should equal or exceed that required for cages and enclosures.
- d. Felines must have access to an outdoor enclosure.

Class II

- a. Outdoor facilities -- Cage construction materials shall consist of not less than eleven gauge chain link or equivalent.
- b. Indoor facilities -- Potential escape routes shall be equipped with wire or grating of not less than eleven gauge chain link or equivalent.
- c. If the primary cage is inside a structure, the size should equal or exceed that required for cages and enclosures.
- d. Felines must have access to an outdoor enclosure.

Class III

- a. Outdoor facilities -- Construction material shall consist of welded or lock-tight wire or eleven gauge chain link or equivalent.
- b. Indoor facilities -- Potential escape routes shall be equipped with barriers of sufficient strength to prevent escape.
- c. If primary cage is inside a structure, the size should equal or exceed that required for cages and enclosures.

14. Indoor facilities shall be adequately ventilated by natural or mechanical means to provide fresh air and adequate ventilation for the health of the animals.
15. Indoor facilities shall have lighting appropriate to the nature of the animals, either natural or artificial or both. Lighting will be utilized in regular cycles as the animals needs dictate and shall be of sufficient quality, distribution and duration as to maintain a healthy environment.
16. All animals maintained within the same enclosed area shall be compatible and should not pose a threat to the well being of any other animal contained in the same enclosure.

Cage Sizes:

(1) Lions and tigers

- a. For one animal, provide a cage floor size of no less than 300 square feet, 8 feet tall. Increase cage size 50% for each additional feline.
- b. Each cage shall have elevated platform(s) that shall be large enough to accommodate all animal(s) simultaneously. Each cage shall have a claw log.

(2) Jaguars, leopards, snow leopards, cougars and cheetahs

- a. For one animal, a cage floor size of 200 square feet, 8 feet tall. For each additional animal, increase cage size by 50 percent of original floor area.
- b. Each cage shall have an elevated platform(s) of sufficient dimensions to accommodate all animals in the enclosure simultaneously. Each cage shall have a claw log.

- (3) Lesser cats (e.g., bobcats, lynx, ocelots, caracal, serval, clouded leopards, fishing cats, jungle cats,)
 - a. For one animal, a cage floor size of no less than 85 square feet, 6 feet tall. Increase cage size 50% for each additional feline.
 - b. Each cage shall have an elevated platform(s) that shall accommodate all animals in the enclosure simultaneously. Each cage shall have a claw log.

- (4) Small cats (e.g., Geoffroy's cats, leopard cats, wildcats (*Felis silvestris*), sand cats, oncilla/tiger cats, margays, black-footed cats, and all other species not specifically mentioned above)
 - a. For one animal, a cage floor size of no less than 42 square feet, 6 feet tall. Increase cage size 50% for each additional feline.
 - b. Each cage shall have an elevated platform(s) that shall accommodate all animals in the enclosure simultaneously. Each cage shall have a claw log.

- (5) Facilities in existence at the time permit process was adopted, shall have one year to make any improvements required to bring their facilities into regulatory compliance. In such cases the permittee shall submit a written plan for completing the improvements to *(Insert name of designated regulatory agency)*. Extensions to this one year compliance deadline may be granted at the discretion of *(Insert name of designated regulatory agency)* on a case by case basis.

Exceptions to Standard Caging Requirements for Captive Wildlife

Wildlife may be temporarily housed in cages or enclosures smaller than the sizes set forth, under the following circumstances:

1. For transport of performing and non-performing animals including a period not to exceed the 48 hour periods immediately preceding and following the time the animal is actually in transit.
2. Wildlife being held for sale, veterinary care, or quarantine may be temporarily housed in cages or enclosures smaller than normally required to the specie for a period not to exceed 60 days within any 12 month period.
 - a. Temporary caging or enclosure for wildlife temporarily held under this section shall not be smaller than that required for the caged animal to stand up, lie down, and turn around without touching the sides of the enclosure or another animal. All wild felines thus caged or housed shall be permanently marked or their enclosures shall be permanently marked, so as to be traceable to written records indicating the date the wildlife was placed in temporary holding. Such records shall be maintained and made available for inspection by representatives of *(Insert name of designated regulatory agency)* upon request. Inspectors may direct dealers to mark wildlife temporarily if, upon inspection, there is no record indicating the date the wildlife was placed in temporary holding.
 - b. With written notification to *(Insert name of designated regulatory agency)*, this period may be extended in circumstances where a licensed veterinarian has certified that a longer holding period is medically necessary in the interests of the health and safety of the animal(s) or the public. Medical records concerning all animals for which an extension of the 60-day period is obtained shall be maintained at the facility and shall be made available for inspection, upon request.
3. Newborn and juvenile wild felines may be temporarily kept in enclosures below the standard caging requirements and are exempted from the multi-unit/land requirements and structural strength requirements.

4. Newborn wild felines may be kept in incubation and rearing facilities. Nursing young may be maintained with their parents with no increase in required cage size for the adult animal for up to twelve weeks, provided that documentation is available to show the age of the young. Such time may be extended with the written recommendation of a licensed veterinarian stating that such size cage is required for the continued health and welfare of the animals until a certain date.

5. Juvenile wild felines may be kept in enclosures that meet or exceed the size specification in subsection (2.a) of this section provided that:
 - a. Written documentation is available to verify the age of the animal.
 - b. The animal is marked or otherwise identifiable.
 - c. The animal shall be provided space for exercise on a daily basis.
 - d. Cages are provided that meet the standard caging requirements for Class I and Class II felines when they reach 25 pounds or six months of age, whichever comes first. Class III felines shall be provided cages that meet the standard caging requirements at six months of age.

6. Cages or enclosures for mobility impaired animals shall meet standard caging requirements, unless it can be demonstrated that such cage or enclosure, or its required accessories, are detrimental to the health or welfare of the animal. In such cases, written documentation by a veterinarian confirming the need for such exemption shall be maintained by the permittee and made available to representatives of to *(Insert name of designated regulatory agency)* upon request.

7. Unconfined captive wildlife shall be maintained under rigid supervision and control, so as to prevent injuries to members of the public. No captive wild feline shall be tethered outdoors unsupervised. To provide for public safety, unconfined permitted animals shall be controlled in such a manner as to prevent physical contact with the public, unless facility is licensed by the USDA for exhibiting purposes, and then licensee must comply with all the rules and guidelines outlined in the Animal Welfare Act.

Section V - Food and Water

1. A constant supply of potable water shall be available to permitted animals at all times at a temperature suitable for consumption. (e.g., not frozen solid or too hot to drink.)
2. Regular feeding schedules will be maintained. The rations supplied shall be adequate and nutritious so as to maintain proper strength and healthy appearance.
3. Areas used for food preparation and storage shall be sufficiently clean to prevent contamination by pathogens or harmful substances.
4. Food for animals shall be refrigerated or stored in such a manner as to prevent spoilage, contamination by rodents and/or insects or other animals.

Section VI - Health Conditions

1. All animals shall be provided with adequate and routine veterinary care to include care for injuries and for the control of contagious, parasitic and nutritional diseases. Such care shall include a regular immunization program for the control of disease as needed by species and recommended by the attending veterinarian.
2. The facility will be kept sanitary and regularly cleaned. Uneaten food must be removed in a timely manner to prevent the appearance of flies and maggots. Feces should be removed frequently enough to prevent accumulation or potential contamination of food or bedding areas.
3. Adequate provision will be made for removal and proper disposal of animal waste, food waste, dirtied bedding material, etc. in a manner designed to minimize odor, and vermin infestation.

Section VII - Escapes

1. Escapes of permitted felines shall be immediately reported to *(Insert name of designated regulatory agency)*.
2. A permittee found guilty of negligence resulting in the escape of a permitted animal shall be liable for any costs incurred in recapturing the animal; or for any damages resulting from such an escape.
3. Any person or persons found guilty of deliberately causing an escape or damage to facilities containing permitted animals shall be liable for any costs of repair or recapture or for any damages resulting from such an escape.