



ADMINISTRATIVE RULES OF MONTANA



12.6.1532 MINIMUM FENCE STANDARDS FOR FACILITIES HOLDING CARNIVORES AND OMNIVORES

- (1) Facilities for holding black bears and mountain lions constructed or reconstructed after January 15, 1999, must be constructed and maintained in compliance with the following minimum fencing standards:
 - (a) all open topped enclosures must meet the following minimum standards:
 - (i) all exterior fence barriers must be constructed to a minimum of 12 feet in height with chain link or other material approved by the department at least nine gauge in strength or with a solid material that cannot be destroyed and prevents climbing by species contained therein. Enclosures must provide a minimum of 300 square feet of dry resting area for one animal and be increased by 50 percent for each additional animal;
 - (ii) exterior fences must be supported by posts every ten feet;
 - (iii) the licensee shall install an overhang of barbed wire or electric wire along the entire length of the top of the exterior fence or barrier sufficient to preclude escape;
 - (iv) the licensee shall install buried mesh wire (minimum 11 gauge) attached to the bottom of the exterior fence or barrier and extending laterally three feet to the inside of the enclosure for the length of the fence or barrier (to prevent carnivores from digging under the fence and escaping;)
 - (v) the licensee shall remove any trees, rocks, debris or other objects that may allow carnivores to exit or enter the enclosure; and
 - (vi) adjoining indoor enclosures that measure a minimum of five feet by five feet by five feet must be provided for each bear, and no less than three feet high and ten square feet for each mountain lion.
 - (b) all cages must satisfy the following minimum requirements:
 - (i) be of sufficient size (height, length and width) to prevent overcrowding and allow exercise; minimum requirements are 200 square feet for single mountain lions, to be increased by 50 percent for each additional animal, and 300 square feet for one black bear, to be increased by 50 percent for each additional animal;
 - (ii) have a cage top constructed of at least 11 gauge woven wire or chain link; and
 - (iii) have a floor made of cement or concrete at least three inches thick into which metal fence posts are permanently secured or a floor that consists of chain link or similar material that will preclude the animal digging through the floor to escape.

- (c) gates on enclosures and cages must be self-closing and have double locks. The licensee shall confine the animals in cages at all times, except as may be authorized by the department;
- (2) Facilities must comply with the American Zoological Association (AZA) general guidelines for housing and caring for black bears and mountain lions including such considerations as temperature, lighting, ventilation, feeding and sanitation.
- (3) The following requirements apply to facilities for holding carnivores and omnivores constructed prior to January 16, 1999. If the facilities are not in compliance with this rule or are not otherwise game proof, they will be subject to the requirements in (1). Reconstruction of such facilities must satisfy the minimum standards in (1), any additional requirements in the license and any further requirements to ensure that the facilities are game proof.
 - (a) All open-topped enclosures holding game farm carnivores must meet the following requirements:
 - (i) a perimeter fence at least 8 feet in height constructed of at least 9 gauge woven wire chain link or solid material that cannot be destroyed by the species contained therein;
 - (ii) the perimeter barrier must be supported by a post or a stay at 10 foot intervals;
 - (iii) an overhang of barbed wire or electric wire installed at the top of the perimeter fence or other configuration that precludes escape;
 - (iv) buried mesh wire (minimum 11 gauge) extending laterally 3 feet to the inside of the enclosure for the length of the perimeter fence (to prevent carnivores from digging under the fence and escaping); and
 - (v) any trees or obstacles that would allow carnivores to exit or enter the enclosure must be removed.
 - (b) All cages holding game farm carnivores must be of sufficient size (height, length and width) to prevent overcrowding and allow exercise and must meet the following requirements:
 - (i) a cage top constructed of at least 11 gauge woven wire or chain link; and
 - (ii) a floor made of cement or concrete at least 3 inches thick into which metal fence posts are permanently secured or a floor that consists of chain link or similar material that will preclude the animal digging through the floor to escape.
 - (c) Gates on enclosures and cages must be self-closing and have double locks. The licensee shall confine the animals in cages at all times, except as may be authorized by the department.

Authorizing statute(s): 87-4-422, MCA

Implementing statute(s): 87-4-426, MCA

History: NEW, 1999 MAR p. 79, Eff, 1/15/99.