



ADMINISTRATIVE RULES OF MONTANA



12.6.1122 FACILITIES

- (1) Permittees must keep all raptors held under their falconry permit in humane and healthful conditions.
- (2) Whether indoors (mews) or outdoors (weathering area), raptor facilities must protect raptors from the environment, predators, and domestic animals. Permittees are responsible for the maintenance, security, and protection of raptors they possess under a permit.
- (3) Permittees must have raptor housing facilities approved by the department before obtaining a bird to use in falconry. The department requires that the permittee have either an indoor or outdoor facility or both. A representative of the department, or its designee, must certify that facilities and equipment meet the following standards:
 - (a) All facilities must protect raptors from predators and domestic animals.
 - (b) The facility must have a suitable perch for each raptor, at least one opening for sunlight, and must provide a healthy environment for raptors.
 - (c) Untethered raptors may be housed together if they are compatible with each other.
 - (d) Each raptor must have an area large enough to allow it to fly if it is untethered or, if tethered, to fully extend its wings or bate (attempt to fly while tethered) without damaging its feathers or contacting other raptors.
 - (e) In most cases, each raptor should have a pan of clean water available. However, at the discretion of the permittee, this requirement is waived if weather conditions, the perch type used, or some other factor makes it inadvisable to have water available to the raptor.
 - (f) An indoor facility must be large enough to allow easy access for the care and feeding of raptors.
 - (i) If raptors are not tethered, all walls that are not solid must be protected on the inside. Suitable materials may include vertical bars spaced narrower than the width of the body of the smallest raptor housed in the enclosure. However, heavy-duty netting or other such materials may be used to cover the walls or roof of the enclosure.
 - (ii) Acceptable indoor facilities include shelf perch enclosures where raptors are tethered side by side. Other innovative housing systems are acceptable if they provide the enclosed raptors with protection and maintain healthy feathers.
 - (g) A falconry raptor or raptors may be kept inside the permittee's place of residence if a suitable perch or perches are provided. If raptors are housed inside the home, windows or

other openings of the structure do not need to be modified. Raptors kept in the home must be tethered when they are not being moved in or out of the location in which they are kept.

- (h) An outdoor facility must be totally enclosed, and may be made of heavy-gauge wire, heavy-duty plastic mesh, slats, pipe, wood, or other suitable material.
 - (i) The facility must be covered and have at least a covered perch to protect a raptor from predators and weather.
 - (ii) The facility must be large enough to ensure that the birds cannot strike the enclosure when flying from the perch.
- (4) Falconry raptors may be kept outside in the open if they are under watch, such as by the permittee or a family member at any location or, for example, by a designated individual in a weathering yard at a falconry meet.
- (5) A permittee must inform the department within five business days if there is a change in the location of their facilities.
- (6) Falconry facilities on property not owned by the permittee:
 - (a) must meet the standards in this rule; and
 - (b) the permittee must submit to the department a signed and dated statement showing that the permittee and the property owner agree that the falconry facilities, equipment, and raptors may be inspected without advance notice by the department at any reasonable time of day. Inspections must be in the presence of the permittee.

Authorizing statute(s): 87-5-204, MCA

Implementing statute(s): 87-5-204, MCA

History: NEW, 1992 MAR p. 2381, Eff. 10/30/92; AMD, 2009 MAR p. 1470, Eff. 8/28/09.