

15A NCAC 10H .0808 FACILITIES AND EQUIPMENT:

(a) Inspection and Certification. Prior to initial issuance of a North Carolina falconry license to a resident of North Carolina, the applicant's raptor housing facilities and falconry equipment shall be certified by a representative of the Commission as meeting the standards set forth in this Rule. Applicants must have indoor facilities or outdoor facilities as described in Paragraph (b) of the Rule. Applicants may have both types of facilities.

(b) Housing Facilities. The primary consideration of raptor housing, whether indoors (mews) or outdoors (weathering area), being protection of the raptor from the environment, predators, and domestic animals, the applicant shall have holding facilities meeting the following standards:

- (1) All facilities. All facilities must conform to the standards in 50 CFR 21.29(d)(1)(ii)(A) which is hereby incorporated by reference, including subsequent amendments and editions.
- (2) Indoor Facilities (Mews). Indoor facilities must conform to the standards in 50 CFR 21.29(d)(1)(ii)(B) which is hereby incorporated by reference, including subsequent amendments and editions. In addition to the federal standards, the mews must have a door that allows easy access and maintenance, and that shall close automatically or be securable inside and outside. Mews shall be located away from disturbance and shade shall be provided. The floor of the mews shall permit easy cleaning and shall be well drained. The interior of the mews shall be free of splinters, protruding nails and other obstructions that could be injurious to the raptor. Any lighting fixtures shall be shielded or otherwise protected.
- (3) Outdoor Facilities (Weathering Areas). Outdoor facilities must conform to the standards in 50 CFR 21.29(d)(1)(ii)(D) which is hereby incorporated by reference, including subsequent amendments and editions. In addition to the federal standards, covers or roofs shall not be less than seven feet. The enclosed area shall be large enough to insure the raptor cannot strike the fence, cover or roof when flying from the perch. The floor of the weathering area shall allow for drainage to prevent standing water. Protection from sun, wind, and inclement weather shall be provided for the raptor. At least two perches shall be provided for the raptor.
- (4) Human facilities. Raptors may be brought inside a human dwelling as needed to address health, training and safety issues. Human facilities must conform to the standards in 50 CFR 21.29(d)(1)(ii)(C) which is hereby incorporated by reference, including subsequent amendments and editions.
- (5) A licensee may have his raptors in the open temporarily under the conditions set forth in 21.29(d)(1)(iii) which is hereby incorporated by reference, including subsequent amendments and editions.

(c) Equipment. Licensees must possess the equipment listed in 50 CFR 21.29(d)(3) which is hereby incorporated by reference, including subsequent amendments and editions.

(d) Maintenance. All facilities and equipment shall be kept at or above the standards contained in Paragraphs (b) and (c) of this Rule at all times, regardless whether the facilities are located on property owned by the licensee or owned by another.

(e) Transportation and Temporary Holding. A raptor may be transported or held in temporary facilities as described in 50 CFR 21.29(d)(4)(5) which is hereby incorporated by reference, including subsequent amendments and editions.

(f) Care by others. A licensee may leave his raptors in the care of another person subject to the restrictions in 50 CFR 21.29(d)(6)(7) which is hereby incorporated by reference, including subsequent amendments and editions.

(g) Change of location. A licensee must inform the Commission within five days if he moves his facilities.

*History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.29;
Eff. September 1, 1979;
Amended Eff. January 1, 2012; May 1, 1995; April 1, 1991.*