

NORTH CAROLINA LAWS

UAPPEAL

COUNTY/CITY AUTHORITY TO REGULATE DANGEROUS ANIMALS

The state gives counties and cities the authority to regulate, restrict or prohibit animals dangerous to persons or property.

(North Carolina Statutes 153A-131, 160A-187)

EXOTIC ANIMALS

There are no known regulations regarding exotic animals not in the invasive species list other than importation rules.

CAPTIVE WILDLIFE

- Wild animals: game animals, fur-bearing animals, and all other wild mammals except feral swine or marine mammals found in coastal fishing waters
- Wild bird: Migratory game birds; upland game birds; and all undomesticated feathered vertebrates except for English sparrow, Eurasian collared dove, pigeon, mute swan, and starling

BANS cougars under captivity license.

- GRANDFATHERED: cougars owned 1977
- EXEMPT:
 - bona fide publicly supported zoos
 - educational or scientific research institutions
 - holding without caging in natural habitat (with development approved by WRC)

BANS black bears except as allowed under NC Statute 19A (see Black Bears).

BANS captive wildlife (native wild animal or bird or nonfarmed cervid) as pets.

- PERMIT required for rehabilitation and scientific, education, exhibition or other purposes.
 - EXCLUDES: endangered, threatened, or special concern species and farmed cervids
 - ALSO NEED: Exportation or Importation Permit to import or export
 - Sportsmen may take animals from wild for annual, seasonal or cultural event if returned after
 - Sales limited to another licensee - no transportation permit needed except for black bears

LICENSES:

- Captivity License for Holding (keep wild animal long term for scientific, educational, exhibition, or other purposes) - \$50 – nonrefundable
 - ALSO NEED:
 - USFWS Migratory Bird rehabilitation permit for migratory birds
 - Agriculture Captivity Permit first (if applicable)
 - EXCLUDES: Endangered, threatened, or special concern species (need Endangered Species Permit)
 - NOT ISSUED FOR: pets, breeding unless allowed, dog training, hunting, illegal animals

- Captivity License for Rehabilitation (possess injured, crippled, or orphaned native wild animals or wild birds to provide short term care and eventual release into wild) - \$10 – nonrefundable
 - ALSO NEED: USFWS Migratory Bird rehabilitation permit for migratory birds
 - NOT ISSUED FOR: Endangered, threatened, or special concern species (need Endangered Species Permit), domestic animals, feral swine, nutria, coyote, adult black bear, adult white-tailed deer or elk, nine-banded armadillo, and eggs of upland game birds
 - NOT ISSUED FOR: pets, education, exhibition, or scientific purposes; dog training; hunting; unlawfully acquired animals
 - EXEMPT: transfer to veterinarian or rehabilitator within 24 hours, veterinarians providing treatment until medically stable (must transfer to permit holder then)

- Apprentice License (first time rehabilitators)
 - LIMITED TO: squirrel, rabbit, opossum
 - Need mentor with 2 years' experience and conduct 12 months activities under supervision

(North Carolina Statutes 113-128 to 113-130, 113-272.5 to 113-272.6, 113-275 to 113-277, 119-291.3; 15A NCAC 10H.1400)

BLACK BEARS (AGRICULTURE)

BANS buying, selling, possessing or keeping black bears in enclosures, pens, cages or other means of captivity.

- GRANDFATHERED: owners in 1975 had to either surrender them or create natural habitat
- EXEMPT:
 - Federal, state, or local government operated zoos
 - educational institutions when exhibited or kept for course of training or research in natural sciences
 - those held without caging and simulating a natural habitat (development must be approved by WRC)

(North Carolina Statutes 19A-10 to 19A-14)

FARMED CERVIDS (AGRICULTURE)

- Farmed Cervid = cervid susceptible to Chronic Wasting Disease (if captive bred and continuously maintained with herd enrolled in USDA-approved Herd Certification Program) or not susceptible but held in captivity and produced, bought, or sold for commercial purposes

BANS import of cervids from positive or suspected CWD facility.

PERMIT required to possess, exhibit, buy or sell farmed cervids.

- Farmed Cervid License
 - Quarterly and annual inventory reports
 - BANS comingling with nonfarmed cervids and possessing rehabilitative or nonfarmed cervids

- Temporary Exhibit Permit (temporarily exhibit reindeer or caribou)

PERMIT (Transportation, Importation, Exportation Permit) required to transport farmed cervids on public roads.

AUTHORITY: Department of Agriculture and Consumer Services has sole authority over farmed cervids. Wildlife Resources Commission has authority over non-farmed cervids

(North Carolina Statutes § 106-549.97; North Carolina Admin. Code 02 NCAC 52L)

PEN-RAISED QUAIL (AGRICULTURE)

Department of Agriculture and Consumer Service regulated pen-raised quail raised for food.

Wildlife Resources Commission regulates the possession and transport of live ones.

(North Carolina Statutes § 106-549.94)

WILDLIFE COLLECTORS

PERMIT (Scientific Wildlife Collection License) issued to take wildlife resources for scientific collection (collect to conduct scientific research or survey), educational collection (collect to provide instruction, training or information to public) or snapping turtle collection (collect snapping turtles for sale). – Non transferable - \$10

- EXEMPT: Collecting and holding up to 4 individuals of native reptile species and up to 24 native amphibians per person for personal use (collecting and holding, using as bait or personal consumption)
 - EXCLUDES: endangered, threatened or special concern
 - BANS buying and selling collected reptiles and amphibians
- ALSO NEED: Endangered Species Permit for endangered, threatened, special concern species except those with open season
- DO NOT NEED: separate hunting or trapping license

REQUIREMENTS:

- Qualifications considered: prior research or educational experience in same or similar field, work with/for educational institution, type of study, current state and quantity of species, collection method, and disposition
- Need name, address, date of birth, email, and driver's license number; species information; and, for science or education: organization affiliation and full documentation of proposal(s) and Institutional Animal Care and Use Committee approval as applicable
- Take must not be harmful to efficient conservation of species collected or to other wildlife that are dependent upon them
- Must comply with Endangered Species Act, the Migratory Bird Treaty Act, The Bald and Golden Eagle Protection Act or any other federal act
- Snapping turtle collection:
 - Limited to residents
 - Allows 10 turtles (Chelydridae) per person per day and 100 per person per season
 - Must have curved carapace greater than 13"

- Limit 15 trapping devices per license, which must be 1) labeled with waterproof tag with name, customer number or collection license number, 2) hoop traps or similar that allow unharmed release of nontarget species or snapping turtles less than 13” and 3) checked daily
- Report within 15 days of expiration

(North Carolina Statutes 113-272.4; 15A North Carolina Admin Code 10B .0119 - Amended Effective 8/1/22)

FISH COLLECTORS

PERMIT (Scientific Fish Collection License) to take inland game fish from joint or coastal waters.- FREE

- EXCLUDES: endangered and threatened species
- ISSUED TO: scientific and educational institutions, governmental agencies, and individuals with worthwhile purpose
- Need written report 15 days after expiration
- ALSO NEED: Endangered Species Permit for endangered species
- Must submit report online

(15A NCAC 10C .0214)

OTHER WILDLIFE LICENSES/PERMITS

Take, possession, transport, buying, sale, import and export of live wildlife only allowed if authorized.

PERMIT issued for:

- Game Bird Propagation License (propagate or possess for propagation captive bred game birds) - \$10 – nonrefundable
 - BANS sale of wild turkey and ruffed grouse as food
 - EXCLUDES: pen-raised quail for food regulated by Agriculture (See Pen-raised Quail)
- Furbearer Propagation License (propagate or possess for propagation furbearers and red fox for fur) - \$25 – nonrefundable

- Allows live sales to other propagators, captivity license or non-resident producer of ranch-raised breeding stock

- Fur-Dealer License (buying or selling fur-bearing animals or wild animals that may be sold and/or their raw furs, pelts, or skins) - nonrefundable
 - Resident Fur-Dealer License - \$60
 - Nonresident Fur-Dealer License \$300
 - Fur-dealer Station License- \$120

- Controlled Hunting Preserve Operator License - \$100 domestically raised birds, foxes, and coyotes; \$25 rabbits – nonrefundable
 - DIVIDED INTO: Game Birds, Fox/Coyote and Rabbits
 - LIMITED TO: mallards, chukar and Hungarian partridges, domestically raised game birds except turkey
 - Allows trappers to live catch foxes and coyote and give to fox hunting preserves during season

- Taxidermy License - \$50 - nonrefundable
- Wildlife Control Agent License (damage control or removal) - \$50 - nonrefundable
- Wildlife Control Technician Certification (under supervision of agent)- \$25 - nonrefundable
- Alligator Control Technician Certification (alligator damage control/removal) - \$25 – nonrefundable

- Falconry Hunting License (take wildlife through falconry)
- Falconry License (take, import, transport or possess raptor or take wildlife through falconry)

- Captivity Permit (care of releaseable wildlife except wild turkey, black bear, deer, and cervids for 5 days without a rehabilitation license or until captivity license is obtained)
 - temporary rule allows permits for deer and elk except native white-tail deer

- Possession Permit (possess dead wildlife) – \$10- nonrefundable

- Transportation Permit

- Importation and Exportation Permit - \$10- nonrefundable
- Trophy Wildlife Sale Permit (sell dead wildlife or parts) - \$10- nonrefundable
- Endangered Species Permit (collect, possess, survey) - \$10 - nonrefundable
- Field Trial Permit (dog field trial) - \$10 - nonrefundable

(North Carolina Statutes 113-129, 113-270.2, 113-270.3, 113-272.5 to 113-277, 119-291, 119-291.3; 15A NCAC 10B .0114, 10B .0216, 10B .0409, 10H.0100, 10H.0800, 10H.0900, 10H.1100, 10H.1200, 10H.1500, 10H.1600)

AMERICAN ALLIGATORS

BANS keeping wild-caught American alligators alive.

See Aquaculture for commercial use.

(15A NCAC 10B .0224)

BULLFROGS

SEASON: year-round (Apr 1 to Aug 31 on commission property)

LIMIT: take 24 per day (noon to noon)

(15A NCAC 10B .0226)

NATIVE TURTLES

BANS buying and selling native turtles except snapping turtles with carapace over 13” – violation is replacement cost per individual turtle.

(15A North Carolina Admin Code 10H.1301)

OTHER NATIVE REPTILES/AMPHIBIANS

BANS release.

PERMIT (Amphibian and Reptile Possession permit) required for:

- possess, import, transport, purchase and sell 25+ native amphibians and 5+ individuals of native reptile species.
- rehabilitate native reptiles and amphibians
- purchased transportation and sale of > 100 snapping turtles
 - need number taken and use or disposition within 15 days of expiration

REQUIREMENTS:

- NOT ISSUED IF: unlawfully acquired, held for unlawful sale or trade, snapping turtles collected under the collection license, native reptiles or amphibians collected from the wild, in violation of collection license, endangered species permit or this possession permit, or permit is not issued before getting the herp
- report of numbers of each species and use or disposition within 15 days of expiration

(15A North Carolina Admin Code 10H.1302 - Amended Effective 8/1/22)

ENDANGERED/THREATENED/SPECIAL CONCERN SPECIES

BANS take, possession, transport, sale, barter, trade, exchange, export and giving away animals on protected wild animal list (federal and state listed native endangered and threatened species and special concern species).

- PERMIT issued to:

- individual or institution with experience and training for scientific investigation relevant to perpetuation or restoration of said species or as a part of a scientifically valid study or restoration effort
 - public or private educator or exhibitor if lawfully obtained, proper equipment and expertise for care and following caging
 - GRANDFATHERED owner who held them more than 90 days before listing who get permit in 90 days and comply with caging
 - person with demonstrable depredation from Special Concern Species or American alligator
 - retail and wholesale establishments providing scientific supplies for research if from out-of-state, kept indoors, safeguards to prevent escape
- EXEMPT:
 - take in defense of own life or others
 - take by state or federal conservation officer or employee when aiding sick, injured, diseased or orphaned animal, disposing of dead animal, salvaging dead one for scientific study or removal and release of those creating nonimmediate threat to human safety
 - processed meat and parts of American alligators
 - special concern Raptors taken and propagated for falconry purposes (need endangered species permit)
 - special concern Captive-bred raptors sale, barter, trade
 - Red Wolves taken or harassed under 50 C.F.R. 17.84(c)

(North Carolina Statutes § 113-331 et. al.; 15A NCAC 10I)

LLAMAS (AGRICULTURE)

BANS classifying llamas as exotic or wild animals (considered domesticated livestock).

- INCLUDES: alpacas, guanacos
- EXCLUDES: vicunas

Llamas can be classified for animal health purposes.

(North Carolina Statutes § 106-22.4)

AQUACULTURE INCLUDING ALLIGATORS (AGRICULTURE)

PERMIT required for aquaculture.

- EXEMPT: aquarium and ornamental trade
- LIMITED TO: approved species (Other species may be allowed with permission)
- PERMIT TYPES:
 - Aquaculture Propagation and Production Facility License (operate aquaculture facility)
 - INCLUDES: commercial use of American alligators
 - Commercial Catchout Facility License (privately owned pond, lake, raceway, manmade stream or other facility to take with hook and line)
 - LIMITED TO: approved hatchery reared fish
 - Must provide receipts to purchasers
 - BANS resale by purchasing angler
 - Holding Pond/Tank Permit (hold live food or bait species for sale)
 - EXEMPT: holding aquaculture or catchout license above AND lobster sales

LIST: APPROVED SPECIES – exempt from WRC exotic introduction laws except to prevent disease

- Bluegill
- Redear Sunfish
- Redbreast Sunfish
- Green Sunfish
- Hybrid sunfish above (Lepomis)
- Black Crappie
- White Crappie
- Largemouth Bass (Northern strain)
- Smallmouth Bass
- White Catfish
- Channel Catfish
- Golden Shiner
- Fathead Minnow
- Goldfish
- Rainbow Trout
- Brown Trout
- Brook Trout
- Common Carp
- Crayfish (Procambarus)
- Hybrid striped bass (Neuse, Roanoke, or Tar/Pamlico River basins must comply with escape measures of WRC)
- Yellow perch (WRC letter of approval needed for west of Interstate Highway 77)
- American alligator (must meet requirements)

AMERICAN ALLIGATOR REQUIREMENTS:

- Confinement plan that complies with WRC guidelines and allow inspections
- Hatchlings must be permanently tagged with export permit from origin state with records kept
- Disease management plan if feeding swine, poultry or livestock
- Comply with federal ESA and CITES

AUTHORITY: Department of Agriculture and Consumer Services regulates commercial rearing of aquaculture. (North Carolina Statutes § 106.756 to 106-763.1; 02 NCAC 53 .0101)

FISH TRANSPORT AND STOCKING

PERMIT (Possession Permit) required to transport live freshwater nongame fishes or game in excess of possession limits.

BANS stocking the following fish: salmonids (except brown, brook, rainbow trout) and flathead and blue catfish.

- PERMIT (Stocking Permit) issued to stock other fish in public inland fishing waters of state

(15A NCAC 10C .0209)

PROHIBITED EXOTICS

BANS import, transport, export, purchase, possession, sale, transfer, and release of certain exotics.

- PERMIT issued to:
 - Retail and Wholesale Establishments - primary business is providing scientific supplies for research
 - NEED: plans for holding, transportation, advertisement, and sale to determine safeguards, only sell or transfer instate to government agencies and research, keep indoors, comply with export laws, have safeguards during transport
 - Government Agencies and Research (state and federal government, corporate research, research facilities)
 - NEED: same as above (except sales) plus Animal Use and Care Committee approval of research

- facilities open to the public for education for all the species listed

- GRANDFATHERED:
 - red-eared sliders held before 8/1/18
 - Argentine black and white tegus and greenhouse frogs held before 8/1/22

LIST:

- tongueless or African clawed frogs (Xenopus)
- brown anole
- Cuban treefrog
- Asian newts (Cynops, Pachytriton, Paramesotriton, Laotriton, Tylototriton)
- red-eared slider
- Argentine black and white tegus
- greenhouse frog

(15A North Carolina Admin Code NCAC 10B .0123 – Amended Effective 8/1/22)

MUTE SWANS

BANS release of mute swans onto public waters.

LEGAL to release on private waters on own property if pinioned.

(15A NCAC 10B .0125)

PROHIBITED FISH

BANS transport, purchase, possession, sale, and stocking of certain fishes.

- African longfin eel
- amur sleeper
- applesnail (Pomacea)
- Asian swamp eel, swamp or rice eel

- Australian red claw crayfish or red claw and others (Cherax)
- bigclaw crayfish
- bighead carp
- black carp
- brown hoplo
- Chinese mysterysnail
- Creole painted crayfish
- Crucian Carp
- European eel
- European minnow
- European perch
- Japanese mysterysnail
- marbled Crayfish or Marmorkrebs
- olive mysterysnail
- Oriental weatherfish
- Piranha (Pristobrycon, Pygocentrus, Pygopristis, or Serrasalmus)
- Prussian Carp
- quagga mussel or dreissenid
- red shiner
- red-rim melania
- redbtail catfish
- round goby
- rudd
- ruffe
- rusty crayfish
- shortfin eel
- silver carp
- snakehead (Channidae)
- tubenose goby
- virile crayfish
- walking catfish (Batrachus)
- grass carp except triploid to control aquatic vegetation
- yellow bass
- zebra mussel

BANS transport, possession, and release of live alewife or blueback herring waters of the Little Tennessee River in and upstream of Lake Santeetlah and Cedar Cliff Lake including tributaries and impoundments and adjacent shorelines, docks, access ramps, and bridge crossings.

(15A NCAC 10C .0211)

FEDERALLY PROTECTED SPECIES

BANS the take, harm, disturbance or destruction of federally protected species under the laws below.

- sea turtles under Endangered Species Act of 1973 (includes green, hawksbill, loggerhead, Kemp's ridley, and leatherback turtles)
- marine mammals under Marine Mammal Protection Act of 1972
- migratory birds under Migratory Bird Treaty Act of 1918 unless allowed
- finfish under Endangered Species Act of 1973

(North Carolina Statutes § 113-189; 15A NCAC 03I .0107,10C.0109)

NORTH CAROLINA ZOOS AND AQUARIUMS

There are basic regulations governing the North Carolina Zoological Park and various aquariums.

(07 NCAC 14A; 07 NCAC 15)

IMPORT (WILDLIFE RESOURCES)

BANS import of gray foxes into Anson, Avery, Burke, Cabarrus, Caldwell, Catawba, Cleveland, Davidson, Gaston, Lincoln, McDowell, Mecklenburg, Mitchell, Montgomery, Moore, Richmond, Rowan, Rutherford, Stanly, Union and Yancey Counties.

PERMIT (Importation Permit) needed to import live wild birds or animals or any native reptile or amphibian.

REQUIREMENTS:

- Waterfowl origin must be certified under National Poultry Improvement Plan (NPIP) as pullorum-typhoid and avian influenza negative or conduct those tests within 30 days before import

(15A North Carolina Admin Code 10B.0101, 10B.0102)

IMPORT (AGRICULTURE)

BANS import and transport of live feral swine.

BANS the import of certain species.

- PERMIT for research institutions, USDA exhibitors, and organized entertainers such as zoos or circuses
- LIST:
 - Skunk
 - Fox
 - Raccoon
 - Ringtail
 - Bobcat including lynx and North and South American felines
 - Coyote
 - Marten
 - Brushtail possum

Health certificate required to import all wild mammals and hybrids.

- Camelids, bison and other nondomestic bovids other than cattle 6 months and older need negative brucellosis within 30 days and negative TB test 60 days before with herd of origin not diagnosed with either in last 12 months.
 - EXEMPT: llamas, alpacas, vicunas and guanacos if tuberculosis Accredited-Free and brucellosis Certified-Free

(North Carolina Statutes § 106-317; 02 North Carolina Admin Code 52B-0208, 52B.0212)