

## MEMORANDUM

**DATE:** March 16, 2009

**TO:** Personal Pet Owners and Other Interested Persons

**FROM:** Colonel Julie Jones  
Director, Division of Law Enforcement

**SUBJECT:** Personal Possession of Class II Wildlife

All individuals planning to possess wildlife for personal use listed as Class II in Rule 68A-6.002, Florida Administrative Code (F.A.C.), will be required to submit a \$140 permit fee per annum. Class II wildlife includes the following:

1. Howler monkeys (genus *Alouatta*)
2. Uakaris (genus *Cacajao*)
3. Mangabeys (genus *Cercocebus*)
4. Guenons (genus *Ceropithecus*)
5. Bearded sakis (genus *Chiropotes*)
6. Guereza monkeys (genus *Colobus*)
7. Celebes black apes (genus *Cynopithecus*)
8. Idris (genus *Indri*)
9. Macaques (genus *Macaca*)
10. Langurs (genus *Presbytis*)
11. Douc langurs (genus *Pygathrix*)
12. Snub-nosed langurs (genus *Rhinopithecus*)
13. Proboscis monkeys (genus *Nasalis*)
14. Servals (*Leptailurus serval*)
15. European and Canadian lynx (*Lynx lynx*)
16. Cougars, panthers (*Puma concolor*)
17. Bobcats (*Lynx rufus*)
18. Cheetahs (*Acinonyx jubatus*)
19. Caracals (*Caracal caracal*)
20. African golden cats (*Profelis aurata*)
21. Temminck's golden cats (*Profelis temmincki*)
22. Fishing cats (*Prionailurus viverrina*)
23. Ocelots (*Leopardus pardalis*)
24. Clouded leopards (*Neofelis nebulosa*)
25. Coyotes (*Canis latrans*)
26. Gray wolves (*Canis lupus*) (including wolf x domestic hybrids which are 25 percent or less domestic dog)
27. Red wolves (*Canis niger*) (including wolf x domestic hybrids which are 25 percent or less domestic dog)
28. Asiatic jackals (*Canis aureus*)
29. Black-backed jackals (*Canis mesomelas*)
30. Side-striped jackals (*Canis adustus*)
31. Indian dholes (*Cuon alpinus*)
32. African hunting dogs (*Lycaon pictus*)

33. Wolverines (*Gulo gulo*)
34. Honey badgers (*Mellivora capensis*)
35. American badgers (*Taxides taxus*)
36. Old World badgers (*Meles meles*)
37. Binturongs (*Arctictis binturong*)
38. Hyenas (all species) (family Hyaenidae)
39. Dwarf crocodiles (*Osteolaemus tetraspis*)
40. Alligators, caimans (except American alligator) (family Alligatoridae)
41. Ostrich (*Struthio camelus*)
42. Cassowary (*Casuarius* spp.)

In order to possess Class II animals for personal or commercial use, the following qualifications must be met as specified by Rule 68A-6.0022, F.A.C.:

- a) Submit a notarized statement that the construction of the facility, its cages and enclosures, is not prohibited by county ordinance and, if within a municipality, municipal ordinance.
- b) Applicants shall demonstrate no less than one (1) year of substantial practical experience (to consist of no less than 1,000 hours) in the care, feeding, handling, and husbandry of the species for which the permit is sought, or other species, within the same biological order (except ratites which shall be in the same biological sub-order) which are substantially similar in size, characteristics, care and nutritional requirements to the species for which the permit is sought. For purposes of demonstrating compliance, applicants shall submit documentation of such experience including, a description of the specific experience acquired, the dates the experience was obtained and the specific location(s) where acquired, and references from no less than two (2) individuals having personal knowledge of applicant's stated experience, one of which must be licensed by the commission for wildlife of the same family and the same or higher class for which the applicant is seeking authorization. Additional documentation may include records of prior permits for the keeping of captive wildlife, employment records, and any other competent documentation of the requisite experience. Documented educational experience in zoology or other relevant biological sciences obtained at the college or technical school level or above, may substitute for up to six months or 500 hours of the required experience.

- c) If the applicant is unable to document such experience, as an alternative, the applicant may take a two-part written examination. The successful completion of a written examination for the particular species or family administered by the Division of Law Enforcement, together with the documentation of not less than 100 hours of substantial practical experience (with documentation and compliance procedures as noted in Rule 68A-6.0022(5)(d)(1), F.A.C., above, in the care, feeding, handling, and husbandry of the species or family for which the permit is sought may be substituted for the one-year/1,000 hour requirement. Exams are administered at any of the FWC Regional Service Centers. Applicants scoring at least 80 percent correct on the examination shall be deemed as meeting the examination requirement for the particular species or family.
- d) The above requirements outlined in (b and c) above shall not apply to applicants for permits to possess ostriches, rheas, emus, cassowaries, or coyotes when possessed for purposes other than public exhibition or personal use.
- e) Applicants shall not have been convicted of any violation of captive wildlife regulations or venomous reptile or reptile of concern regulations involving unsafe housing of wildlife or that could potentially endanger the public; any violation involving the illegal commercialization of wildlife; any violation involving cruelty to animals; or any violation involving importation of wildlife within three (3) years of the date of application.
- f) Applicant must be at least 18 years old at the time of application.
- g) Those Class II species exempt from the land need requirements, noted below, may be possessed in multi-unit dwellings only when the dwelling in which they are housed is equipped with private entrance, exit and yard area.

**ALL NEW APPLICANTS FOR CLASS II WILDLIFE, AND REQUESTS FOR UPGRADES TO EXISTING LICENSES, TO INCLUDE A FAMILY NOT PREVIOUSLY AUTHORIZED AT A FACILITY LOCATION, SHALL COMPLY WITH THE FOLLOWING:**

- 1) The facility shall not be constructed on less than two and one-half contiguous acres of property owned or leased by the applicant. If leased, the lease shall be for a term of not less than one year from the date of application and such lease is subject to initial and

annual review and approval by the FWC as a condition of granting said license.

- 2) The total facility shall not be comprised of more than two (2) parcels of land whether leased, owned or a combination of leased or owned parcels. If more than one parcel, the adjacent parcels must have a minimum of 100 feet common linear boundary.
- 3) The facility shall contain a “buffer zone” of not less than 35 feet between the caged wildlife and the facility property line.
- 4) The cages of the facility shall be bounded by a fence not less than eight feet in height, constructed of not less than 11 ½ gauge chain link or strength equivalent, or as an alternative, a fence of not less than six feet in height, with a two foot, 45 degree inward angle overhang. The inward angle fencing and vertical fencing shall be constructed of 11 ½ gauge chain link or strength equivalent. This fencing is to prevent the escape from the property of any wildlife that may escape from primary caging.
- 5) The following Class II wildlife are exempt from the facility requirements as listed above:
  - a) Permits authorizing possession of infants only including:
    1. Class II carnivores until they reach 25 pounds or six (6) months of age, whichever ever comes first, provided written documentation is available to verify the age of the animal, the animal is marked or otherwise identifiable, and the animal is provided space for exercise on a daily basis:
    2. Class II primates until they reach the age of twelve (12) months, provided written documentation is available to verify the age of the animal, the animal is marked or otherwise identifiable, and the animal is provided space for exercise on a daily basis.
  - b) Crocodylians four (4) feet in length or less.
  - c) Cats: Ocelots (*Leopardus pardalis*), Servals (*Leptailurus serval*), Caracals (*Caracal caracal*), Bobcats (*Lynx rufus*), African golden cats (*Profelis*

*aurata*), Temminck's golden cats (*Profelis temmincki*), and Fishing cats (*Prionailurus viverrina*).

- d) Non-human primates: Uakaris (*genus Cacajao*), Bearded sakis (*genus Chiropotes*), and Guenons (*genus Cercopithecus*) **not including** De Brazza's monkey (*Cercopithecus neglectus*), Blue monkey (*Cercopithecus mitis*), Preuss's monkey (*Cercopithecus preussi*) or any other non-human primate of the *genus Cercopithecus* which exceeds the normal adult weight of fourteen (14) pounds.
- e) Any Class II wildlife exempt from meeting the facility requirements of this rule must meet the following:
  - 1. A fence sufficient to deter entry by the public, which shall be a minimum of five (5) feet in height, shall be present around the premises wherein Class II animals are housed or exercised outdoors.

**No person may possess Class I wildlife for personal use.**

Those persons not meeting personal pet criteria status must apply for commercial status (no Class I personal pet permits are issued). Persons, firms, or corporations possessing wildlife for exhibition or public sale and not maintained as personal use wildlife shall obtain a permit under Chapter 379.304, F.S. Applications for this commercial license may be obtained from this office by calling (850) 488-6253 or on our web site at [www.MyFWC.com/permits](http://www.MyFWC.com/permits). Commercial wildlife operations are generally characterized by the following business procedures:

- 1) A regular media advertising campaign, or internet website;
- 2) Signs, billboards or flyers advertising commercial wildlife services or operations;
- 3) Regular "Open for Business" hours; and
- 4) Written business is conducted on printed letterhead paper, indicating the name of the company or business.

If you currently possess or plan to possess Class II wildlife, please complete the application in detail and return all required documents to the address at the top of the application with a check or money order in the amount of \$140, payable to the Florida Fish and Wildlife Conservation Commission. Soon after your check is

received and your application package approved, an investigator will contact you to inspect the facility in which the wildlife will be housed.

Permits to possess personal use wildlife other than Class II (designated as Class III wildlife) will be issued free of charge. No permit shall be issued to any person to possess Class III wildlife for personal use unless such person can provide documentation of the following:

- 1) Be 16 years of age or older.
- 2) Applicants for permits to possess capuchin, spider or woolly monkeys shall demonstrate no less than one (1) year of substantial practical experience (to consist of no less than 1,000 hours) in the care, feeding, handling, and husbandry of these primates, in accordance with the criteria established in 68A-6.0022 (5) (a-d), F.A.C.. Or as an alternative, the applicant may take a written examination. The successful completion of a written examination for particular species or family, administered by the Division of Law Enforcement, together with the documentation of not less than 100 hours of substantial practical experience (with documentation and compliance procedures as noted in 68A-6.0022(5)(d)(3), F.A.C. above, in the care, feeding, handling, and husbandry of the species or family for which the permit is sought may be substituted for the one year/1,000 hour requirement. Exams are administered at any of the FWC Regional Service Centers. Applicants scoring at least 80 percent correct on the examination shall be deemed as meeting the examination requirement for the particular species or family.
- 3) Must provide a Critical Incident/Disaster Plan on form FWCDLE\_619 (on our web site at [www.MyFWC.com/permits](http://www.MyFWC.com/permits)) and shall document in writing a course of action to be taken in preparation for disasters or critical incidents. Part A is to be submitted at time of application. Part B remains at your facility and is to be made available for inspection.
- 4) Be able to provide satisfactory caging facilities as required in the standard caging requirements, Rules 68A-6.003(2)(e) and 68A-6.004, F.A.C., within 30 days of notification of tentative approval for a permit.
- 5) Ensure that the conditions under which the wildlife will be held shall not constitute a threat to the public or to the animal.

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For a complete listing of Captive Wildlife Regulations, please visit our website at [www.MyFWC.com](http://www.MyFWC.com).

The FWC reserves the right to deny or otherwise delay the issuance of permits when wildlife is found in an unsafe, unsanitary or inhumane condition.

We appreciate your interest in personal possession of class II wildlife. If we can answer any further questions, please do not hesitate to write or call this office (850) 488-6253.

Revised 3-09  
jj/jdw/dr