

## MEMORANDUM

TO: Wildlife Exhibitors, Dealers and Other Interested Persons

FROM: Colonel Julie Jones  
Director, Division of Law Enforcement

SUBJECT: Sale and Exhibition of Wildlife

Persons, firms or corporations possessing wildlife used exclusively for exhibition or public sale, specifically birds, reptiles, amphibians, and mammals, shall obtain a permit pursuant to Chapter 372.921, Florida Statutes (F.S.). Commercial wildlife operations are generally characterized by the following business procedures:

- (1) A regular media advertising campaign, or Internet Web site;
- (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, indicating the name of the company or business.

Persons possessing wildlife primarily for personal use and enjoyment shall obtain a Personal Pet Permit pursuant to Chapter 372.922, F.S. No permits shall be issued for the possession of Class I wildlife for personal use.

Permittees must keep records of acquisition, which includes the source and supplier, for the wildlife in their possession. It is illegal to buy, sell or transfer any wildlife to or from any unpermitted entity within Florida. Those individuals selling or transferring wildlife must maintain records of said sale or transfer. The recipient's and transferor's name, address, and permit license number (if required) shall be entered in the records.

These records must be kept for one year after the transfer. The "donation" of an animal is permissible if there is no exchange of money or trade involving other items of value; however, the source of acquisition record and record of transfer must be maintained by the receiver and transferor of the wildlife, respectively. Records of the sale of exotic birds must be maintained for a period of two years. This record must include the name and address of purchaser, date of transfer, and number and species of birds sold.

Class III wildlife are those animals which are not listed as Class I or II. Excluding the few exceptions listed below, a license or permit is required for the possession of Class III wildlife. Examples of Class III wildlife include raccoons, non-native fox, skunks, lemurs, marmosets, and deer. In Class III, there are three primates for which the Class II experience requirements apply in order to qualify for the Personal Use Permit. These are the capuchin, spider and woolly monkeys. Purchasers for Class III wildlife must have a valid permit of license prior to acquiring the animal.

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Those Class III animals **which may be possessed for personal use without a permit** are: non-protected and non-venomous reptiles and amphibians, gerbils, hedgehogs, honey possums, sugar gliders, brush-tailed possums, shell parakeets, rats and mice, canaries, moles, shrews, rabbits, squirrels, chipmunks, ferrets (domestic and European), love birds, guinea pigs, cockatiels, hamsters, parrots, finches, myna birds, toucans, doves (ringed, ruddy, and diamond), button quail, prairie dogs, and chinchillas.

In addition to the license or permit requirements, individuals possessing wildlife must meet standard caging requirements. These requirements are found in 68A-6.004, Florida Administrative Code (F.A.C.), and may be obtained at any Florida Fish and Wildlife Conservation Commission (FWC) Regional Service Center or from our Web site at [www.myFWC.com](http://www.myFWC.com). Along with caging requirements, there are standards for sanitation, nutrition, waste disposal, cleaning and maintenance of the enclosures contained in the captive wildlife regulations. Any condition, which results in wildlife escaping from its enclosure, leash, cage or other constraint, or results in injury to any person is a threat to public safety, and a violation of the Wildlife Code. Wildlife held for sale by licensed individuals may be housed in smaller cages or enclosures for a period not to exceed 60 days.

All individuals not previously permitted to possess Class I or Class II wildlife listed in Rule 68A-6.002, F.A.C., must qualify for a permit by meeting the following criteria 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) Be at least 18 years of age;
- (c) Shall not have been convicted of any violation of captive wildlife regulations, any offense involving the illegal commercialization of wildlife, or offenses involving cruelty to animals, within three years of the date of application.
- (d) 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 the purpose of demonstrating compliance, applications 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 the applicant's stated experience. Additional information 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.

- (e) **For Class II applicants only:** If the applicant is unable to document such experience, as an alternative, the applicant may take a 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, F.A.C., above) in the care, feeding, handling, and husbandry of the species for which the permit is sought may be substituted for the one year and 1,000 hour requirement. Exams are administered at any of our 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.
- (f) The above experience requirements 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.
- (g) Class I wildlife shall not be possessed in multi-unit dwellings or in any premises consisting of less than on-quarter acre of land area. Class II wildlife shall not be possessed in multi-unity dwellings unless the dwelling in which they are housed is equipped with a private entrance, exit, and yard area. There are also specific acreage requirements for certain species as listed below.

**EFFECTIVE JULY 1, 2000. ALL NEW APPLICANTS AND REQUESTS FOR UPGRADES TO EXISTING LICENSES, TO INCLUDE A FAMILY NOT PREVIOUSLY AUTHORIZED AT A FACILITY LOCATION, MUST COMPLY WITH THE FOLLOWING ADDITIONAL FACILITY REQUIREMENTS FOR CLASS I AND II CARNIVORES:**

**For Class I Carnivores (lions, tigers, leopards, snow leopards, jaguars and bears):**

- (1) The facility shall not be constructed on less than five 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 facility shall have a “buffer zone” of not less than 35 feet between the caging and the facility property line.
- (3) The cages of the facility shall be surrounded by a fence not less than eight feet in height, constructed of not less than 11 ½ gauge chain link or equivalent, to prevent escape of any wildlife from the property that may escape the primary caging.

**For Class II Carnivores (cougars, panthers, clouded leopards, and Class II canids):**

- (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 facility shall contain a “buffer zone” of not less than 35 feet between the caged wildlife and the facility property line.
- (3) 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 of any wildlife from the property that may escape from primary caging.

**Regulations Pertaining to Performing or Traveling Wildlife**

Performing wildlife possessed by persons operating traveling exhibits, circuses, show productions, performing acts, and any other mobile attractions shall be housed in cages that meet standard caging requirements as provided in Rule 68A-6.004, F.A.C., whenever such wildlife is present in any geographical location for more than 90 days. No mobile exhibit shall utilize that performing animal caging dimensions prior to approval by the FWC. Exercise intervals shall be required. No animal shall be caged without exercise or performances for more than a 72-hour period.

Non-performing wildlife shall be housed in cages that comply with standard cage requirements as provided in Rule 68A-6.004, F.A.C., whenever such wildlife is present in such travel cages or enclosures for more than 45 days. Transportation requirements for wildlife and caging requirements for traveling wildlife exhibits that will be in that same location for 90 days or less, shall be pursuant to Rule 68A-6.005, F.A.C. Operators of traveling exhibits or mobile attractions shall submit a 12-month travel itinerary (schedule) that details the exact location(s) and date(s) where such wildlife will be exhibited or housed in Florida.

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. For a complete listing of Captive Wildlife Regulations, please visit our website at [www.MyFWC.com](http://www.MyFWC.com) or telephone our Investigations section at (850) 488-6253.