

SECTION .1200 - CONTROLLED FOX HUNTING PRESERVES

15A NCAC 10H .1201 DEFINITIONS AND GENERAL REQUIREMENTS

- (a) The rules in this Section apply to all controlled hunting preserve operator licenses issued by the Wildlife Resources Commission (Commission) in accordance with G.S. 113-273(g) for controlled fox hunting preserves.
- (b) The following definitions shall apply to all rules in this Section:
- (1) "Acclimation" means an adjustment period to allow foxes and coyotes to become accustomed to the controlled fox hunting preserve.
 - (2) "Controlled fox hunting preserve" means an enclosed area where foxes and coyotes are pursued with dogs.
 - (3) "Escape den" means a stationary manmade structure that provides refuge for foxes and coyotes from dogs.
 - (4) "Dog proof fence" means a perimeter fence designed to prevent the ingress or egress of dogs, foxes, or coyotes over, under, or through the fence.
 - (5) "Fox" means red fox and gray fox, including their color morphs.
- (c) Any individual wanting to operate a controlled fox hunting preserve shall first obtain a controlled hunting preserve operator license from the Commission.
- (d) Applicants for a controlled hunting preserve operator license shall show proof of ownership or lease of the land contained in the proposed controlled fox hunting preserve.
- (e) Application for a controlled hunting preserve operator license shall be made online at www.ncwildlife.org or at the Commission headquarters located at 1751 Varsity Drive, Raleigh, NC 27606. Information required from the applicant shall include:
- (1) the applicant's name, address, telephone number, date of birth;
 - (2) the preserve name, address, county, acreage, and GPS coordinates of preserve entrance; and
 - (3) species within the preserve.
- (f) Controlled hunting preserve operator licenses shall not be transferable, either by transferring the license to another operator or by relocating the site of the preserve.
- (g) Upon receipt of an application accompanied by the license fee, the Commission shall issue a controlled fox hunting preserve operator license, provided the rules in this Section regarding establishment of such areas have been complied with.

*History Note: Authority G.S. 113-134; 113-273(g);
Eff. August 1, 1990;
Amended Eff. June 1, 2004;
Readopted Eff. February 1, 2021.*

15A NCAC 10H .1202 ESTABLISHMENT AND OPERATION

- (a) Boundary of Preserve. Unless otherwise approved by the Commission based upon the topography and hydrology of the preserve, a controlled fox hunting preserve shall be enclosed with a dog-proof fence that meets the following requirements:
- (1) is at least four feet high;
 - (2) has a top electrified wire at least three feet above the ground surface;
 - (3) has a bottom electrified wire no more than one foot above the ground surface; and
 - (4) is free from structures or vegetation purposely placed or allowed to exist that enables wild animals to enter or exit the preserve.
- (b) Escape Dens. Controlled fox hunting preserves less than 106 acres shall have a minimum of three escape dens. Those preserves equal to or greater than 106 acres shall have one additional escape den per 1-35 acre interval thereafter.
- (c) Stocking Preserve with Game. The following shall apply to foxes and coyotes released into a preserve:
- (1) only foxes and coyotes may be released onto controlled fox hunting preserves;
 - (2) operators may purchase live foxes and coyotes from:
 - (A) licensed trappers in accordance with G.S. 113-273(g);
 - (B) other licensed controlled fox hunting preserves;
 - (C) licensed fur propagators; or
 - (D) persons holding foxes or coyotes legally under a captivity license;
 - (3) licensed controlled fox hunting preserve operators may hold legally obtained foxes and coyotes in accordance with food, sanitation, and enclosure requirements in 15A NCAC 10H .1404;
 - (4) licensed controlled fox hunting preserve operators may transport legally acquired foxes and coyotes from the place of purchase to the controlled fox hunting preserve;

- (5) foxes and coyotes shall not be imported into North Carolina for release into controlled fox hunting preserves;
 - (6) individuals transporting live foxes and coyotes to or from a licensed operator shall have a current and valid transportation permit; and
 - (7) individuals transporting live foxes and coyotes on behalf of a licensed operator shall have a current and valid transportation permit or a copy of the operator's current controlled fox hunting preserve operator's license.
- (d) Dog Density. Each controlled fox hunting preserve shall have an upper limit for dog density rounded to the nearest dog as follows:
- (1) fox only preserve: .5 dog per 1 acre;
 - (2) fox and coyote preserve: .75 dog per 1 acre; and
 - (3) coyote only preserve: 1 dog per 1 acre.

History Note: Authority G.S. 113-134; 113-273(g);
Eff. August 1, 1990;
Amended Eff. June 1, 2004;
Readopted Eff. February 1, 2021.

15A NCAC 10H .1203 QUALITY OF FOXES AND COYOTES RELEASED

- (a) All foxes and coyotes purchased, acquired, transferred, released, sold, or raised for release on controlled fox hunting preserves shall appear visibly healthy and free from disease.
- (b) All dead foxes and coyotes, except those taken by lawful method(s) shall be reported to the Commission within 48 hours of discovery.
- (c) The Commission may quarantine any controlled fox hunting preserve where contagious diseases are identified, depending on the type and severity of the disease and the risk to other wildlife or humans. Quarantine may include:
 - (1) temporarily prohibiting removal or introduction of foxes and coyotes except as provided by written permit issued by the Commission.
 - (2) notification to the county health department;
 - (3) cleaning or disinfection of the facility; or
 - (4) temporary license suspension.
- (d) A quarantine shall not be lifted or cancelled until the Commission determines that there is no longer a threat of disease exposure to humans, foxes, coyotes, domestic dogs, or other animals.

History Note: Authority G.S. 113-134; 113-273(g);
Eff. August 1, 1990;
Amended Eff. June 1, 2004;
Readopted Eff. February 1, 2021.

15A NCAC 10H .1204 RECORDS REQUIRED

- (a) License holders shall keep an accurate record, on a form provided by the Commission, for all foxes and coyotes released into or removed from the preserve from licensed trappers, other licensed controlled fox hunting preserves, licensed fur propagators, or persons holding foxes or coyotes legally under a captivity license. Records shall contain the following information:
 - (1) preserve operator license, propagator license, or captivity license number, if applicable;
 - (2) trapper identification number or name and address, if applicable;
 - (3) transportation permit number, if applicable;
 - (4) species and quantity of each;
 - (5) date of purchase or transfer; and
 - (6) county of origin.
- (b) Records shall be available for inspection by representatives of the Commission upon request and during normal operating hours.
- (c) Records shall be submitted to the Commission prior to the reissuance of the license.
- (d) Records shall be retained by the license holder for 12 months following expiration of the license.

History Note: Authority G.S. 113-134; 113-273;
Eff. August 1, 1990;
Amended Eff. June 1, 2004;
Readopted Eff. February 1, 2021.

15A NCAC 10H .1205 HUNTING LICENSE REQUIRED

(a) Every person participating in the pursuit of wildlife on a controlled fox hunting preserve shall have a valid resident or nonresident hunting license or controlled hunting preserve hunting license in his or her possession, in accordance with 15A NCAC 10B .0114.

(b) Nonresidents participating in a Commission-sanctioned field trial, as defined in 15A NCAC 10B .0114, are exempt from licensing requirements in Paragraph (a) of this Rule, provided they have a valid hunting license from their state of residence in their possession.

*History Note: Authority G.S. 113-134; 113-273(g);
Eff. August 1, 1990;
Readopted Eff. February 1, 2021.*

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15A NCAC 10H .1207 LICENSE REVOCATION AND ENFORCEMENT

(a) Representatives of the Commission shall be permitted to enter the premises of any licensed controlled fox hunting preserve upon request to the license holder or during the preserve's operating hours for inspection, enforcement, or scientific purposes.

(b) The Executive Director of the Commission or his or her designee may warn, cite, suspend, or revoke a license holder's controlled hunting preserve operator license if the license holder violates applicable provisions of Subchapter IV of Chapter 113 of the North Carolina General Statutes, applicable provisions of G.S. 14-360, the rules of this Section, or any condition of the license. The determination whether to warn, cite, suspend, or revoke a license shall be based upon the seriousness of the violation, which may include:

- (1) felony animal abuse as specified in G.S. 14-360(a1) and (b);
- (2) purposefully releasing foxes and coyotes into the wild;
- (3) falsifying records; or
- (4) failing to notify the appropriate agencies after a potential disease exposure or outbreak.

(c) The Commission shall give the license holder written notice in accordance with G.S. 113-276.2(e) before revoking a license.

(d) If a fox or coyote is unlawfully possessed, the Commission may determine disposition of the unlawfully possessed animal(s), through seizure, release, relocation, or euthanasia.

(e) If the Commission revokes a controlled hunting preserve operator license, the Commission may determine disposition of the animals, through seizure, release, relocation, or euthanasia.

*History Note: Authority G.S. 113-134; 113-273;
Eff. August 1, 1990;
Readopted Eff. February 1, 2021.*