

1 **15A NCAC 10B .0125 RELEASE OF MUTE SWANS**

2 ~~(a) It is unlawful for any individual to~~ Individuals shall not release any mute swan (*Cygnus olor*) into the public waters
3 of North Carolina. ~~Any individual who possesses or confines mute swans on their property or releases a mute swan~~
4 ~~to privately controlled waters must ensure that the animal has been pinioned. Individuals who currently possess or~~
5 ~~confine mute swans on their property must pinion all mute swans on their property by January 1, 2009. For the~~
6 ~~purposes of this Rule privately controlled waters is defined as: a body of water lying wholly upon a single tract of~~
7 ~~privately owned land or a body of water lying entirely within private property, even if that property is comprised of~~
8 ~~multiple tracts owned by one or multiple individuals. In addition, privately controlled waters are waters to which the~~
9 ~~public does not have access without permission of one or more of the private landowners surrounding the water(s).~~

10 (b) Any individual who releases mute swan into privately controlled waters, possesses, or confines mute swans or any
11 progeny of mute swans on their property, must ensure that the animal has been pinioned.

12 (c) For the purposes of this Rule, “privately controlled waters” means:

13 (1) a body of water lying wholly upon a single tract of privately owned land or a body of water lying
14 entirely within private property, even if that property is comprised of multiple tracts owned by one
15 or multiple individuals; and

16 (2) waters to which the public does not have access without permission of one or more of the private
17 landowners surrounding the water(s).

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19 *History Note: Authority G.S. 113-292(d);*
20 *Eff. July 1, 2008;*
21 *Readopted Eff. January 1, 2022.*
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