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RULES:
603-011-0700, 603-011-0701, 603-011-0705, 603-011-0706, 603-011-0710, 603-011-0715, 603-011-0720, 603-011-0725

RENUMBER: 603-011-0700 to 603-015-0500

RULE TITLE: Definitions

RULE SUMMARY: Moving.

RULE TEXT:
As used in ORS 609.335(3) and in OAR 603-011-0705 to 603-011-0725, unless the context requires otherwise:
(1) "Exotic animal" has the meaning given by ORS 609.305.
(2) "Facility" means the cage(s), compound(s), room(s), building(s), or other premises specified in a Permit in which the exotic animal(s) is/are to be confined or maintained.
(3) "Keep" does not include the temporary holding of an exotic animal at an animal shelter operated by a city or county, or the immediate transportation of an abandoned, neglected or abused exotic animal to such a Facility.
(4) "Permit" means a document issued by the Department which authorizes (subject to other laws) the Permittee to keep one or more specified exotic animals in captivity at a Facility for a stated period of time.
(5) "Permittee" means the person authorized by a Permit to keep an identified species of exotic animal.
(6) "Species" means the class of an exotic feline, non-human primate, exotic canine,or any exotic bear or any crocodilian.
(7) “Hybrid” means any animal that is produced by crossing at least one exotic animal with any other species of subspecies.
(8) “Domestic animal” means domestic cat (Felis catus), domestic dog (Canis familiaris) and does not include livestock as defined in ORS 607.125

STATUTORY/OTHER AUTHORITY: ORS 561, 609

STATUTES/OTHER IMPLEMENTED: ORS 609.305, 609.335

RENUMBER: 603-011-0701 to 603-015-0505

RULE TITLE: Hybrid Crossed Animals

RULE SUMMARY: Moving

RULE TEXT:

For the purposes of OAR 603-011-0705–603-011-0725, any hybrid animal that is produced by crossing a domestic animal and an exotic animal shall be regulated according to the laws governing domestic animals and not subject to exotic animal permit by the Department.

STATUTORY/OTHER AUTHORITY: ORS 561, 609

STATUTES/OTHER IMPLEMENTED: ORS 609.305, 609.335

RENUMBER: 603-011-0705 to 603-015-0510

RULE TITLE: Permit Application, Issuance, and Renewal

RULE SUMMARY: Moving.

RULE TEXT:

(1) A person intending to keep an exotic animal in captivity shall before acquiring the animal, apply to the Department for the issuance of a Permit by submitting an application therefore to the Animal Health Division of the Department at its address of Agriculture Building, 635 Capitol Street N.E., Salem, OR 97301, accompanied by a permit fee. Holders of a valid license or registration from the U.S. Department of Agriculture under the federal Animal Welfare Act of 1970, or holders of a valid permit from the Oregon Department of Fish and Wildlife to operate a wildlife rehabilitation facility are not subject to OAR 603-011-0700 through 603-011-0725, including the requirement to obtain a Permit from the Department. Permit fees shall be:

(a) $100 for Class 1 and 2 felines, Class 1 and 2 primates, bears and Class 1 canines;

(b) $75 for crocodilians;

(c) $50 for all other exotic animal classes.

(2) Before the stated date of expiration of a Permit, the holder of the Permit may apply to the Department for a renewal thereof for an additional term of up to two years from the stated expiration date, and thereafter for additional two-year renewals of the permit. Notwithstanding the term of the Permit, the Department may modify in writing the conditions and/or limitations of the Permit at any time. Renewal fees shall be:

(a) $100 for Class 1 felines, Class 1 primates and bears.

(b) $50 for crocodilians.

(c) $25 for all other exotic animal classes.

(3) An application for a Permit shall be on a form prescribed by the Department, shall be signed by the Permittee, and shall include:

(a) The name, address and telephone number of the Permittee, and the owner of the animal(s) if different than the Permittee;

(b) The specific location and nature of the proposed Facility. If the real property containing the proposed Facility is leased, the application shall also include the name and written consent of the owner to the keeping of the exotic animals on the property. For Class 1 and 2 exotic felines, Class 1 and 2 non-human primates, bears, and Class 1 exotic canines the application shall include a sketch map of the premises owned or leased by the Permittee with dimensions of the real property and description of all adjacent properties;

(c) The species of exotic animals for which the Permit is sought;

(d) A certification by the Permittee that all federal, state, county and city permitting requirements have been met, including copies of each relevant permit;

(e) The name, address and telephone number of the veterinarian intended to provide medical care for the exotic animal(s);

(f) The documented experience, training and education of the Permittee relating to the care and keeping of the particular species of exotic animal(s) for which application is being made;

(g) A written plan for nutrition, health maintenance, and general welfare of the animal which has been prepared by or approved by an authoritative reference person. Such approval or plan shall include the name, title, position, qualification, address and telephone number of the reference person. The plan will be reviewed by the Department prior to approval; and

(h) The date upon which the proposed Facility will be available for inspection by the Department, which shall be not less than 7 days prior to the time the exotic animal(s) is/are kept at the proposed Facility.

(4) The Department shall review the permit application and in determining whether to issue or renew the Permit shall consider factors relating to public safety and health, welfare and safety of the animal. Such factors include but are not limited to:

(a) Proximity of the Facility to public routes of travel, residential neighborhoods, schools, and other public gathering places;
(b) Potential for unintended or accidental public access to the Facility;
(c) Potential for vandalism that compromises the security of the Facility; and
(d) Potential for willful harassment or disturbance of the animal(s).
(e) Whether, based on the Permittee's certification and any other evidence received by the Department in connection with the proposed Facility, all federal, state, county and city laws applicable to the Facility have been met.
(5) The Department shall conduct an interview with the Permittee to determine if the Permittee is likely to be able to keep the exotic animal(s) so as to assure the health, welfare and safety of the animal(s) and the security of the proposed Facility so as to avoid undue risk to the public. In determining whether to issue or renew the Permit, the Department shall also consider whether:
(a) The Permittee has adequate knowledge, experience and training to maintain the health, welfare and safety of the animal(s), and to handle the animal(s) with safety and competence. This will include review of the written plan for nutrition and health maintenance and consideration for the needs of infant animal(s). Approval of permits for Class 1 & 2 exotic felines, Class 1 non-human primates, and bears shall require a minimum of 500 hours of hands-on experience including nutrition, feed preparation, safe handling, transportation, and general welfare and maintenance of the animal type involved or of other species of exotic felines, non-human primates, or bears. Fewer hours of hands-on-experience are required for permitting other classes or species. At least one-half of such experience must be with animals of the classification for which the permit is sought. Such experience may be documented by a log book, employment records, or other means by which experience may be authenticated; and
(b) The Facility is adequately designed, constructed, and is likely to be managed to protect the public from escape of the confined animal(s) including when the Permittee is not on the premises.
(6) Before issuing a Permit the Department may perform an inspection of the Facility to determine its design, construction and proposed operation is consistent with the applicable provisions of OAR 603-011-0700 to 603-011-0725 and ORS 609.309.
(7) Following its review of the application and any other relevant information, the Department shall either issue the Permit or deny the application and notify the applicant. If the Department issues the Permit, it may include any conditions intended to ensure the health, welfare and safety of the animal(s) covered by the Permit and, where the Department finds it necessary, conditions intended to assure the security of the Facility so as to avoid undue risk to the public. Such conditions may include limitations on the number of animals that can be kept at the Facility.

STATUTORY/OTHER AUTHORITY: ORS 561, 609

STATUTES/OTHER IMPLEMENTED: ORS 609.205 - 609.335

RENUMBER: 603-011-0706 to 603-015-0515

RULE TITLE: Crocodilians — Special Requirements

RULE SUMMARY: Moving

RULE TEXT:

(1) Animal Classification:

(a) Exotic crocodilians include all individuals of the order Crocodylia including but not limited to American Alligators and Crocodile Hybrids.

(2) Inside enclosure: The indoor enclosure should be constructed in such a way as to prevent escape of the animal. Latching clips and/or locks are required on doors and windows that open. The lid to the enclosure shall be well ventilated and may be covered with wire mesh, appropriate to the size of the animal, to prevent its escape. The enclosure area shall consist of a dry area and a water area. Both areas must be easily accessible by the animal. The area of the enclosure must be large enough such that the animal can turn around without its body touching any side and can perch its entire body on dry surface. The depth of the water shall be enough to fully submerge the animal. The temperature on the dry surface in the enclosure must be maintained between 75–90 degrees F. Ambient air temperature shall be kept between 75 to 90 degrees F. The water temperature must be maintained between 75–85 degrees F at all times.

(3) Outside enclosure: Crocodilians may be kept outside if weather conditions and ambient temperatures meet minimum temperatures as described for indoor enclosures, otherwise may only be outside during exercise regiment. When transporting the animal to and from outside it is required that the animal be carried in a secure portable container that encloses the animal completely. Fencing for outside enclosures must be of sufficient strength and height to prevent escape of the animal. Bottom of the fence must also be secure enough to prevent escape of the animal. Fencing must also prevent unauthorized persons and animals from entering the enclosure.

(4) Feeding: Owners must demonstrate knowledge of crocodilian nutrition. Exotic crocodilians must be fed a balanced diet sufficient to their needs but such food items may not include live animals.

(5) No exotic crocodilian may be restrained by a harness or muzzle as primary means of confinement.

(6) Security: In order to provide for the safety of the public, exotic crocodilians shall be handled in accordance with the following:

(a) All outside enclosures for exotic crocodilians shall be kept separate from the public in a way that prevents contact with animals or persons outside the enclosure.

(b) Exotic crocodilians shall be confined within their enclosures (inside and/or outside) and only allowed outside them for medical treatment or for removal to another approved facility. When being transported, the animal must be secured in a portable container within the vehicle.

(7) Sanitation: Excreta, uneaten food and any type of algae or debris shall be removed from enclosures (including the water pond) as often as necessary to prevent contamination of the food or water, reduce disease hazards and reduce odors.

STATUTORY/OTHER AUTHORITY: ORS 561, 609

STATUTES/OTHER IMPLEMENTED: ORS 609.305, 609.335

RENUMBER: 603-011-0710 to 603-015-0520

RULE TITLE: Felines — Special Requirements

RULE SUMMARY: Moving

RULE TEXT:

(1) Animal Classification:

(a) Class 1 exotic felines shall include all individuals of the genus Panthera, including lions, tigers, leopards, snow leopards, jaguars; ligers or any other hybrids of genus Panthera; and individuals of any other non-indigenous feline species not listed in Class 1 or Class 2 that weigh 100 pounds or more when fully mature;

(b) Class 2 exotic felines shall include cheetahs, clouded leopards, and individuals of any other non-indigenous felines not listed in Class 3 that weigh more than 50 pounds but less than 100 pounds when fully mature; and

(c) Class 3 exotic felines shall include wild cat, jungle cat, desert cat, sand cat, black-footed cat, Pallas's cat, caracal, serval, marbled cat, golden cat, leopard cat, rusty-spotted cat, fishing cat, flat-headed cat, iriomote cat, pampas cat, ocelot, margay, Geoffroy's cat, kodkod, mountain cat, jaguarundi, caucasus cat, and other such species of small exotic cats that weigh 50 pounds or less when fully mature.

(2) Any Facility for Class 1 and Class 2 exotic felines shall comply with one or more of the following:

(a) Outdoor Facilities — Cages: If exotic felines are maintained in cages, the cage shall include adequate-size loafing shelves, den boxes, and shelter(s) from adverse weather conditions, and shall provide sufficient space for the animals to make normal postural and social adjustments with freedom of movement. Provisions for shade shall be made so that shade is available somewhere in the cage during all daylight hours, preferably over the den box, loafing shelves, or shelter. The floor of the cage shall not be constructed of wood or uncovered wire materials. Floors of chain link or woven wire must be covered a minimum depth of four inches with dirt, pea gravel, and/or sand. Excepting concrete slab floors, a strip of 14 gauge or heavier chain link fencing extending to the interior of the cage at least two feet and to the exterior of the cage at least one foot shall be laid around the perimeter, shall be buried to a minimum depth of four inches, and shall be securely attached to the bottom retaining rail. Concrete slab floors must incorporate the chain link fencing into the concrete slab or otherwise be firmly anchored. Aluminum wire is not acceptable for use in anchoring the chain link fencing. The cage shall include a suitable drainage system for the rapid elimination of excess water. The top of the cage shall be securely covered. There shall be a double-gate safety entrance installed in each cage which will not reduce the required minimum size of the cage. A ground-level retaining rail, or equivalent barrier, shall be provided around each cage. The cage shall be securely locked except during cleaning. The structure shall be designed and constructed so as to prevent escape by the animal(s) or entrance by the public, and shall be located consistent with any applicable local setback requirements but in any case no closer than six feet from the nearest public access or the nearest property line unless an impervious wall on the property line is used as a wall of the primary enclosure.

(A) The cage for Class 1 exotic felines shall be constructed of at least 9-gauge chain link fencing or equivalent. The cage of an individual animal shall be minimally six feet in height, 400 square feet area (800 square feet area for a pair of animals), and be securely covered.

(B) The cage for Class 2 animals shall be constructed of at least 14-gauge chain link fencing or equivalent, having not more than 2 x 4-inch openings. The cage for an individual animal shall be minimally six feet in height, 200 square feet area (400 square feet for a pair of animals), and be securely covered.

(b) Outdoor Facilities — Range Areas: If exotic felines are maintained in large areas simulating natural surroundings of a park-like nature, the areas need not be roofed, but shall have perimeter fencing constructed of chain link fencing of a gauge required for the class of exotic felines to be maintained in the area, and of a height required for this class of exotic felines, which fencing shall be topped with an internal overhang of three feet in width so as to prevent the escape by the animal(s). The exterior fencing of the Facility shall be embedded to a depth of at least six inches in either concrete or other material that cannot be destroyed or removed by the exotic felines. The Facility shall include shelters from adverse weather conditions which shall include sufficient space for the animals to make normal postural and social adjustments with freedom of movement. Provisions for shade shall be made so that shade is available somewhere in the

Facility during all daylight hours.
(c) Indoor Facilities: If exotic felines are maintained in a structure with a solid roof and walls, the Facility shall be designed and constructed so as to prevent the escape of the animal(s). The window openings of the Facility, other than openings directly to adjacent cages, shall be covered with wire mesh or gratings made of the same materials as the cage for the class of exotic felines to be maintained. The Facility shall be adequately ventilated, through the installation and use of windows, vents, doors or air conditioning, so as to minimize drafts, odors and moisture condensation. The Facility shall be sufficiently lighted, either through natural or artificial means, so as to permit thorough inspection and cleaning of the Facility and so as to protect the animal(s) from excessive illumination. The Facility shall be structurally sound and maintained in good repair so as to protect the animal(s) from injury, to keep the animal(s) dry and clean, to contain the animal(s), and to restrict entry of other animals. The Facility shall also be supplied with adequate electrical power, potable water, and equipment for the removal and disposal of animal excreta and debris.
(3) The primary enclosure for Class 3 exotic felines shall be no less than 10 times the area occupied by the animal when standing on four feet.
(4) No exotic feline may be restrained by a tether as primary means of confinement.
(5) Security: In order to provide for the safety of the public, exotic felines shall be handled in accordance with the following:
(a) Cages and outdoor Facilities for Class 1 and 2 exotic felines shall be surrounded by a fence or wall that is of sufficient strength and construction so as to prevent entrance by the public. The fence shall be at least six feet in height and six feet distant from the cage. Impervious walls on the outside perimeter of the property used as wall(s) of the primary enclosure do not require the additional perimeter fence. The area enclosed by the fence or wall required by this section is not part of the Facility for purposes of the confinement area requirement; and
(b) All classes of exotic felines shall be confined inside the permitted Facility and shall only be allowed outside the Facility for medical treatment or for removal to another approved Facility. When being transported the animal(s) shall be restrained inside a cage within the vehicle so as to prevent escape from, or interference with, the operator of the vehicle.
(6) Sanitation: Excreta and debris shall be removed from indoor and outdoor Facilities as often as necessary to prevent contamination of the food or water supplies, reduce disease hazards, and reduce odors.
(7) The Department may modify or waive the confinement requirements established in sections (2), (3), and (5) of this rule subject to the following:
(a) The animal is determined by the Department to be less than 180 days of age;
(b) The Departments's approval to modify or waive the requirements must be in writing and must include an expiration date; and
(c) The Department may impose reasonable conditions on such approval.

STATUTORY/OTHER AUTHORITY: ORS 561, 609

STATUTES/OTHER IMPLEMENTED: ORS 609.205 - 609.335

RENUMBER: 603-011-0715 to 603-015-0525

RULE TITLE: Bears — Special Requirements

RULE SUMMARY: Moving

RULE TEXT:

Any Facility for bears shall comply with the following:

(1) Outdoor Facilities — Cages: An area of at least 400 square feet shall be provided for each animal, so as to provide sufficient space for the animal(s) to make postural and social adjustments with freedom of movement. The floor shall be four-inch reinforced concrete, sloped for free drainage, and provided with a drainage grating of adequate strength to prevent removal by a bear. The floor shall be surrounded by a curb of six-inch reinforced concrete, not less than 12 inches in height. Each pen or cage shall be at least six feet in height and be roofed to prevent escape of the bears, and areas of shade shall be provided for the animal(s).

(2) Cage construction: Securely attached to cage, there shall be at least one feed trough, not less than 12 inches in depth with a capacity of not less than three cubic feet; at least one water trough, not less than 18 inches in depth with a capacity of not less than three cubic feet; and at least one den box for each animal, emplaced not less than six inches above floor level of the cage, which provides 15 square feet of floor area and at least 30 inches of inside height, with a floor sloped to provide free drainage. If of frame and mesh construction, the cage shall consist of a support framework, top and sides of steel pipes or beams equivalent in strength to 1-1/2 inch steel pipe, securely welded, bolted or threaded together, with framework members at intervals of no more than five feet. The wire mesh covering shall be five-gauge chain link fencing or equivalent, securely bolted together and to the framework. If a bar-type construction, the cage shall consist of steel pipes or bars equivalent in strength to 3/4-inch steel pipe, spaced at intervals not to exceed six inches, supported at intervals not to exceed 36 inches with 3/8 x 2-inch steel bars drilled to receive the vertical boards at the support intervals, with all joints or points of meeting securely bolted or welded at the top and sides. The skirt of the cage shall be embedded in a concrete curb to a depth of not less than six inches.

(3) Security: In order to provide for the safety of the public, bears shall be handled in accordance with the following:

(a) A gate to the main cage shall be installed and constructed so as to provide strength equivalent to the rest of the cage, and the hinges and fasteners shall be adequate to provide strength equivalent to the rest of the cage;

(b) The animal(s) shall be confined inside the permitted Facility and shall only be allowed outside the Facility for medical treatment or for removal to another approved Facility. The animal(s) shall be restrained inside a cage within the vehicle so as to prevent escape from, or interference with the operator of, the vehicle; and

(c) The cage shall be securely padlocked except during cleaning. An additional fence of sturdy construction, not less than six feet in height and not less than six feet removed from the cage shall be erected and maintained. Impervious walls on the outside perimeter of the property used as wall(s) of the primary enclosure do not require the additional fence. No person except the keeper of the bears shall be allowed to approach the cage beyond this fence.

(4) Sanitation: Excreta and debris shall be removed from the facilities as often as necessary to prevent contamination of the food or water supplies, reduce disease hazards, and reduce odors.

(5) The Department may modify or waive the confinement requirements established in sections (1), (2), and (3) of this rule subject to the following:

(a) The animal is determined by the Department to be less than 180 days of age;

(b) The Department's approval to modify or waive the requirements must be in writing and must include an expiration date; and

(c) The Department may impose reasonable conditions on such approval.

STATUTORY/OTHER AUTHORITY: ORS 561, 609

STATUTES/OTHER IMPLEMENTED: ORS 609.305 - 609.335

RENUMBER: 603-011-0720 to 603-015-0530

RULE TITLE: Non-Human Primates — Special Requirements

RULE SUMMARY: Moving

RULE TEXT:

(1) Animal Classification:

(a) Class 1 non-human primates shall be all great apes and larger primates of infraorder Catarrhini, including but not limited to gorillas, chimpanzees, orangutans, baboons, and gibbons;

(b) Class 2 non-human primates shall be all old-world monkeys of infraorder Catarrhini, including but not limited to macaques of all subclassifications (pig-tailed, rhesus, Japanese, cynomolgus, crab-eating, long-tailed, java, Barbary, and any other macaques), all guenons (African Green monkey grouping), patas monkeys, and mangabeys; and

(c) Class 3 non-human primates shall include all old-world primates of the suborder Prosimii (prosimians) and all new-world monkeys of infraorder Platyrhini, including but not limited to squirrel monkeys and all other Saimiri species, spider monkeys and all other Ateles species, capuchins and all other Cebus species, marmosets and tamarinds of all subclassifications, owl monkeys, howler monkeys, and wooley monkeys.

(2) Any Facility for Class 1 non-human primates shall comply with the following provisions for Outdoor Facilities. The cage shall include sufficient shade areas so as to protect the animal(s) from direct sunrays; provide the animal(s) with access to shelter which will allow the animal(s) to remain dry and comfortable during inclement weather; include a suitable drainage system for the rapid elimination of excess water; provide sufficient space for the animal(s) to make normal postural and social adjustments; include apparatus for normal behavioral activities, and have a minimum floor space equal to 10 times the area occupied by each animal when it is standing on four feet. Any indoor Facility for Class 1 non-human primates shall be in compliance with the caging requirements stipulated in (5)(b) below. Outdoor facilities for Class 2 non-human primates are optional, but if provided must meet the specifications of this section.

(3) Any Facility for Class 1 and Class 2 non-human primates shall comply with the following provisions for Indoor Facilities: The indoor facilities shall be heated so as to protect the animal(s) from cold, with an ambient temperature of not less than 50°F; be adequately ventilated through the installation and use of windows, vents, doors, or air conditioning, so as to minimize drafts, odors, and moisture condensation, and have auxiliary ventilation provided when the ambient temperature exceeds 85°F; be sufficiently lighted, through either natural or artificial means, so as to permit thorough inspection and cleaning of the facilities and so as to protect the non-human primate from excessive illumination; be structurally sound and maintained in good repair, so as to protect the animal(s) from injury and to keep the animal(s) dry and clean, to contain the animal(s), and to restrict entry of other animal(s); to be supplied with adequate electrical power, potable water; and to have disposal facilities for the sanitary removal and disposal of animal waste, bedding, dead animals, and debris. Any indoor Facility for Class 1 non-human primates shall be in compliance with the primary caging space requirements as stipulated in (5)(b) below. Any indoor Facility for Class 2 non-human primates shall be in compliance with the caging requirements as stipulated in (5)(c) below.

(4) The primary enclosure for Class 3 non-human primates shall be in compliance with requirements as stipulated in (5)(c) below.

(5) Security:

(a) In order to provide reasonable precautions for the safety to the public, all classes of non-human primates shall be confined inside the permitted Facility and shall only be allowed outside the Facility for medical treatment or for removal to another approved Facility. When being transported, the animal(s) shall be restrained inside a cage within the vehicle so as to prevent escape from, or interference with the operation of, the vehicle;

(b) Minimum caging space for Class 1 non-human primates shall be: up to 44 lbs., floor space 10 sq. feet, minimal height 55 in.; from 45 to 77 lbs, floor space 15 sq. feet, minimal height 60 in.; more than 78 lbs, floor space 25 sq. feet, minimal height 84 in.;

(c) Minimum caging space for Class 2 and 3 non-human primates shall be: up to 2.2 lbs, floor space 1.6 sq. feet, minimal height 20 in.; from 2.3 to 6.6 lbs., floor space 3.0 sq. feet, minimal height 30 in.; from 6.7 to 22 lbs, floor space 4.3 sq. feet,

minimal height 30 in.; from 23 to 33 lbs., floor space 6.0 sq. feet, minimal height 32 in.; from 34–55 lbs., floor space 8.0 sq. feet, minimal height 36 in.; from 56–66 lbs., floor space 10.0 sq. feet, minimal height 46 in.; more than 67 lbs., floor space 15.0 sq. feet, minimal height 46 in.

(6) No non-human primate may be restrained by a tether as primary means of confinement.

(7) Sanitation: Excreta and debris shall be removed from the facilities as often as necessary to prevent contamination of the food or water supplies, reduce disease hazards, and reduce odors.

(8) The Department may modify or waive the confinement requirements established in sections (2), (3), (4), and (5) of this rule subject to the following:

(a) The animal is determined by the Department to be less than 180 days of age;

(b) The Department's approval to modify or waive the requirements must be in writing and must include an expiration date; and

(c) The Department may impose reasonable conditions on such approval.

STATUTORY/OTHER AUTHORITY: ORS 561, 609

STATUTES/OTHER IMPLEMENTED: ORS 609.205 - 609.335

RENUMBER: 603-011-0725 to 603-015-0535

RULE TITLE: Exotic Canines — Special Requirements

RULE SUMMARY: Moving

RULE TEXT:

(1) Animal Classification:

(a) Class 1 exotic canines shall include any non-indigenous, non wolf canine whose weight is 50 pounds or more; and

(b) Class 2 exotic canines shall include all non-indigenous canines whose weight is less than 50 pounds.

(2) Any Facility for Class 1 exotic canines shall comply with the following:

(a) Outdoor and Indoor Facilities: Outdoor and indoor facilities shall be constructed and maintained so as to provide sufficient space for each animal to make normal postural and social adjustments with freedom of movement; to keep the animals(s) clean, dry, and safe from injury; and to provide the animal(s) ready access to clean water and wholesome food. All outdoor pens shall have an exterior fence of such height and construction so as to prevent the animal(s) within to surmount it, and to prevent entry of the public;

(b) Security: In order to provide reasonable precautions for the safety of the public, all classes of exotic canines shall be confined inside the permitted Facility and shall only be allowed outside the Facility for medical treatment or for removal to another approved Facility. When being transported the animal(s) shall be restrained inside a cage within the vehicle so as to prevent escape from, or interference with the operator of the vehicle;

(c) All exotic canines that are held within a single enclosure shall be selected so as to be compatible with each other and shall not be housed near other animals whose presence may cause them stress or other discomfort; and

(d) Sanitation: Excreta and debris shall be removed from the Facility as often as necessary to prevent contamination of the food or water supplies, reduce disease hazards, and reduce odors.

(3) The primary enclosure or caging for Class 2 exotic canines shall be no less than 10 times the area occupied by the animal when standing on four feet.

(4) No exotic canine may be restrained by a tether as primary means of confinement.

(5) The Department may modify or waive the confinement requirements established in sections (2) and (3) of this rule subject to the following:

(a) The animal is determined by the Department to be less than 180 days of age;

(b) The Department's approval to modify or waive the requirements must be in writing and must include an expiration date; and

(c) The Department may impose reasonable conditions on such approval.

STATUTORY/OTHER AUTHORITY: ORS 561, 609

STATUTES/OTHER IMPLEMENTED: ORS 609.205 - 609.335