

PERIMETER FENCE	Outdoor facilities housing nonhuman primates, marine mammals, and wild/exotics mammals must be enclosed by a fence of sufficient height to keep unwanted animals and unauthorized persons out. [3.78(d), 3.102(c), 3.127(d)]
Species Specific	<p>Nonhuman Primates Perimeter fence must: [3.78(d)]</p> <ul style="list-style-type: none">• restrict access by unauthorized humans• restrict access of animals the size of dogs, skunks and raccoons• be at least 6 feet in height• be located at least 3 feet from the primary enclosure <p>NOTE: Fences not meeting the height and distance requirements must have a variance approved by the APHIS AC Administrator or Regional Director. (see page 10.4.4)</p> <p>A perimeter fence is not required if:</p> <ul style="list-style-type: none">• outside walls of the primary enclosure: [3.78(d)(1)]<ul style="list-style-type: none">➤ are made of a sturdy, durable material, such as concrete, wood, plastic, metal or glass➤ prevent entry of humans and unwanted animals➤ securely contain the animal housed in the enclosure• housing facility is surrounded by a natural barrier which has been approved by the APHIS AC Administrator or Regional Director [3.78(d)(2)] <p>Marine Mammals Perimeter fence must: [3.103(c)]</p> <ul style="list-style-type: none">• restrict access by unauthorized humans• restrict access of unwanted animals• be at least 8 feet in height for polar bears• be at least 6 feet in height for other marine mammals• be located at least 3 feet from the primary enclosure <p>NOTE: Fences not meeting the height and distance requirements must have a variance approved by the APHIS AC Administrator or Regional Director. (see page 10.4.4)</p>

The perimeter fence must be constructed so that it: [3.103(c)]

- protects the marine mammals by restricting unwanted animals and unauthorized persons from:
 - going through it
 - going under it
 - having contact with the marine mammals
- can function as a secondary containment system, if necessary

For natural seawater facilities, such as lagoons, the perimeter fence must:

- prevent access from adjoining land by unwanted animals and unauthorized persons
- encompass the land portion of the facility from one end of the natural seawater facility shoreline as defined by low tide to the other end of the natural seawater facility shoreline as defined by low tide

Other Animals - Wild/Exotic Animals

Perimeter fence must: [3.127(d)]

- restrict access by unauthorized humans
- restrict access of unwanted animals
- be located at least 3 feet from the primary enclosure
- be at least 8 feet in height **for potentially dangerous animals**, including but not limited to:
 - large felines, such as:
 - lions
 - tigers
 - leopards
 - cougars
 - bears
 - wolves
 - rhinoceros
 - elephants
- be at least 6 feet in height **for other wild/exotic animals**, including but not limited to:
 - lynx
 - bobcats
 - raccoons

- fox

NOTE: Fences not meeting the height and distance requirements must have a variance approved by the APHIS AC Administrator or Regional Director. (see below)

The perimeter fence must be constructed so that it: [3.127(d)]

- protects the animals by restricting unwanted animals and unauthorized persons from:
 - going through it
 - going under it
 - having contact with the animals
- can function as a secondary containment system, if necessary

A perimeter fence is **not** required if the outdoor housing facility: [3.127(d)(5)]

- houses only farm animals, including but not limited to:
 - cows
 - pigs
 - sheep
 - goats
 - donkeys
 - horses (for regulated purposes), or
- houses wild/exotic hoofstock maintained under agricultural farm conditions, such as:
 - reindeer
 - elk
 - caribou
 - bison/buffalo, and
- has an effective and customary containment system, and
- has effective security measures in place

Traveling exhibitors on the road do **not** require a perimeter fence if appropriate alternative are employed, such as:

- exhibitor or other person living in close proximity to the animals
- security guards
- well-lighted housing

	<ul style="list-style-type: none">• controlled access to the animal housing area• alarms• cameras
Variance Request	<p>A variance from the perimeter fence requirements may be requested if one or more of the following conditions are met:</p> <ul style="list-style-type: none">• outside walls of the primary enclosure are: [3.103(c)(1) & 3.127(d)(1)]<ul style="list-style-type: none">➤ made of a sturdy, durable material, such as concrete, wood, plastic, metal or glass, and➤ constructed so as to restrict the entry of humans and unwanted animals• housing facility is protected by an effective natural barrier which: [3.103(c)(2) & 3.127(d)(2)]<ul style="list-style-type: none">➤ restricts the animals to the facility, and➤ prevents the entry of unwanted animals and unauthorized persons• appropriate alternative security measures are employed [3.103(c)(3) & 3.127(d)(3)] <p>Request for a perimeter fence variance may be submitted to:</p> <ul style="list-style-type: none">• the licensee’s AC inspector, or• the AC Regional Director for the State in which the licensee’s facility is located, or• the Deputy Administrator for AC <p>If submitted in writing, the variance request should include the following information: (see “Perimeter Fence Variance Request Letter” - page 10.4.6)</p> <ul style="list-style-type: none">• the licensee’s name and address• the facility’s business name, if applicable• the USDA license number• a description of the animal’s primary enclosure(s), including:<ul style="list-style-type: none">➤ size➤ wall/fence height➤ construction materials used for the enclosure

walls

- a description of the species of animal in each enclosure, including:
 - number of animals within each enclosure
 - age
 - health status
- a description of the location of the facility, such as:
 - rural
 - urban
 - remote
 - residential
 - closeness of neighbors
 - natural barriers
- a description of the barrier fence, including:
 - construction materials of the barrier fence
 - distance from the enclosure walls
 - height of barrier
- a description of current perimeter fence including:
 - height
 - construction material used for the fence
- a description of alternative security measures, such as:
 - security guards/personnel
 - cameras
 - alarms

Supplemental documentation may be included in the variance request, such as:

- pictures
- drawings of the layout of the facility and enclosures



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Health Inspection
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Animal Care

Dear Licensee/Registrant

APHIS published a change to the standards which requires all outdoor housing facilities to be enclosed by a perimeter fence that is of sufficient height to keep animals and unauthorized persons out. All facilities must meet this requirement on or before May 17, 2000 or have a variance from this standard.

Potentially dangerous animals require an 8 feet perimeter fence. Examples of these species include, but are not limited to, bears, wolves, rhinoceros, elephants, large felines (lions, tigers, leopards, cougars, jaguars), etc. All other species require a 6 feet perimeter fence. Examples of these species include, but are not limited to, ferrets, raccoons, skunks, elk, deer, antelope, small exotic felines (margay, fishing cat, lynx), etc. The perimeter fence must be located at least 3 feet from the primary enclosure. Fences not meeting these requirements must be approved by the Administrator.

You may request a variance from the perimeter fence requirements if one or more of the following conditions are met:

- the outside walls of the primary enclosures are made of sturdy, durable material and are constructed in a manner that restricts the entry of animals and unwanted persons
- the outdoor housing facility is protected by an effective barrier that restricts the regulated animals to the facility and restricts entry by animals and unwanted persons
- appropriate alternative security measures are used

To request a variance, please submit in writing the following information:

- your name and address
- your business name, if applicable
- license or registration number
- a description of the animal's primary enclosures (size, wall/fence height, construction materials used for the enclosure walls)
- describe the species of animals in each enclosure (number within each enclosure, age, health status)
- describe the location of your facility (rural, urban, remote, residential, closeness of neighbors, etc.)
- description of barrier fence (construction materials of the barrier, distance from enclosure walls, height of barrier)
- description of current perimeter fence (height, construction materials used for the perimeter fence)
- description of alternative security measures, such as security guards/personnel, cameras, alarms, etc.

We recommend you include pictures and/or a drawing of the layout of your facility and enclosures to assist us in evaluating your facility.

10.4.6



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Mail your request and supporting documents to:

USDA-APHIS-Animal Care

We appreciate your efforts to comply with the Animal Welfare Act. If you have any questions or concerns, please do not hesitate to call our office at () .

Sincerely,

Regional Director
Animal Care – Eastern Region

10.4.7



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