

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

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:
    - R lions
    - R tigers
    - R leopards
    - R 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
  - ▶ hoofstock

**Variance Request**

NOTE: Fences not meeting the requirements must have a variance approved by the appropriate AC Regional Director.

Perimeter fence must be constructed so that it: [3.127(c)]

- 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), and
- has an effective and customary containment system, and
- has effective security measures in place

A variance from the perimeter fence requirements may be requested if one or more of the following conditions are met: (See page 10.4.6)

- outside walls of the primary enclosure are: [3.103(c)(1) & 3.127(d)(1)]
  - ▶ made of a sturdy, durable material, such as concrete, wood, plastic, metal or glass, and
  - ▶ constructed so as to restrict the entry of animals and unwanted persons
- outdoor housing facility is protected by an effective natural barrier which restricts: [3.103(c)(2) & 3.127(d)(2)]
  - ▶ the regulated animals to the facility, and
  - ▶ the entry of animals and unwanted persons
- appropriate alternative security measures are employed [3.103(c)(3) & 3.127(d)(3)]

If submitted in writing, the variance request should include the following information:

- 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:
  - ▶ 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

The request for a perimeter fence variance may be submitted to:

- the facility's AC inspector, or
- the AC Regional Director for the State in which the facility is located

If the perimeter fence variance is submitted to you (the inspector), send to the Regional Office:

- the original variance request
  - a memo with your recommendation
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