

Fur Catcher

Code of Alabama

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Section 9-11-59 LICENSE TO CAPTURE OR KILL FUR-BEARING ANIMALS FOR COMMERCIAL PURPOSES; TRAPS

- (a) It shall be unlawful for any person to take, capture, kill, or to attempt to take, capture, or kill for commercial purposes by any means or device any of the fur-bearing animals protected by the laws or regulations of this state without procuring a license therefor, to be issued in the same manner as is provided for hunting and fishing licenses. Any person who has been a bona fide resident of this state for 90 days next preceding may procure a resident trapping license by paying the sum of twenty dollars (\$20). Any person who has not been a bona fide resident of this state for 90 days next preceding may procure a nonresident trapping license by paying the amount charged a resident of Alabama for a similar license in the nonresident state, except that the license fee for a nonresident in no event shall be less than 10 times the license fee charged by the department for a trapping license for an Alabama resident. A trapping license shall be valid only during the season when fur-bearing animals may be legally taken. The license fees provided in this section and the issuance fees for the issuance of licenses shall be subject to adjustment as provided in Section 9-11-68.
- (b) It shall be unlawful for any person to trap in the state of Alabama without identifying each trap with a metal tag bearing the name and address of the owner. Should any law enforcement officer of this state or employee of the Department of Conservation and Natural Resources of the State of Alabama discover any trapping device being used in violation of the terms of this section, the officer shall confiscate the device and it shall become the property of the Department of Conservation and Natural Resources and shall be disposed of as ordered by the Commissioner of Conservation and Natural Resources.
- (c) A violation of this section or failure to fully comply therewith shall constitute a misdemeanor and, upon conviction, the person violating same or failing to comply therewith shall be punished by a fine of not less than two hundred fifty dollars (\$250) nor more than two thousand dollars (\$2,000) for each offense.

Section 9-11-60 DISPOSITION OF FUNDS FROM SALE OF FUR CATCHERS' LICENSES; REPORT OF LICENSES ISSUED

Judges of probate and other persons authorized and designated to issue licenses provided in Section 9-11-59 shall retain out of the license fee the sum of \$.25, which shall cover the services required for issuing and reporting the sale of said licenses, and shall remit the balance to the Commissioner of Conservation and Natural Resources the first of each month, which balance shall be deposited with the State Treasurer to the credit of the Game and Fish Fund; provided, that if any such license is issued by any probate judge, license commissioner or other officer who is paid a salary for the performance of his duties as such officer, he shall be required to remit the entire amount collected to the Commissioner of Conservation and Natural Resources except the \$.25 charged by the issuing officer for the issuance of such licenses, and this amount shall be remitted to the treasurer of the county in which said license was paid for credit to the appropriate fund. Each person authorized to issue fur catchers' licenses shall make a full and complete report on the first day of each month to the Commissioner of Conservation and Natural Resources of the number of licenses issued and the name and post office address of the person or persons to whom issued, giving opposite each name the serial number of the license issued and the amount of money remitted therefor.

Section 9-11-61 TRANSPORTING, ETC., FURS, SKINS OR PELTS WITHOUT HAVING FUR CATCHER'S LICENSE

Any person, firm, or corporation who sells, ships by mail, express, or otherwise transports within or without this state raw furs, skins, or pelts of fur-bearing animals, the taking, capturing, killing, or catching of which has been done without first procuring a fur catcher's license, shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than two hundred fifty dollars (\$250) nor more than five hundred dollars (\$500) for each offense; provided, however, that nothing in this section shall apply to commercial shippers and common carriers which merely ship or otherwise transport raw furs, skins, or pelts by request of or contract with the possessor or owner thereof.

Section 9-11-241 HUNTING, TRAPPING, ETC., OF WILD GAME DURING DAY ON LANDS OF ANOTHER WITHOUT PERMISSION

Any person who hunts, traps, captures, injures, kills, or destroys, or attempts to hunt, trap, capture, injure, kill, or destroy any wild game on the lands of another between the hours of daylight and sunset without the written permission of or accompanied by the landowner or person in possession or control of the lands shall be guilty of a misdemeanor and, upon conviction, shall be punished for the first offense by a fine of not less than one thousand dollars (\$1,000), and at the discretion of the court may have all hunting license privileges revoked for up to one year from the date of conviction. Any person shall be punished for the second and each subsequent offense by a fine of not less than two thousand dollars (\$2,000) and the revocation of all hunting license privileges for one year from the date of conviction, and shall be imprisoned in the county jail for a period not less than 10 nor more than 30 days. This section shall not apply to the members of the family, guests, servants, or agents of the landowner.

Section 9-11-243 HUNTING, TRAPPING, ETC., OF FUR-BEARING ANIMALS WITHIN 10 FEET OF BANKS OF WATERS ON PROPERTY OF ANOTHER WITHOUT PERMISSION

Any person who hunts, traps, captures, injures, kills or destroys or attempts to hunt, trap, capture, injure, kill or destroy any fur-bearing animal on or in any river, creek, branch, lake, pond or other waters in this state running through or on property not his own or under his control, within 10 feet of the banks thereof, without the written permission of or accompanied by the landowner or person in possession or control of said lands shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than \$10.00 nor more than \$50.00 for each offense.

Section 9-11-254 LIMITATION AS TO NUMBER OF TRAPS FOR TAKING, ETC., OF FUR-BEARING ANIMALS; PENALTY

No person using traps for the purpose of taking or catching fur-bearing animals shall be permitted to set or have set in any one day more than 150 traps. A violation of the provisions of this section shall be a misdemeanor, and the person so violating shall be punished by a fine of not less than \$10.00 nor more than \$25.00 for each offense.

Section 9-11-264 LIABILITY FOR INJURY OR DAMAGE TO PERSONS OR DOMESTIC ANIMALS OF PERSONS USING TRAPS, ETC., TO TAKE, CAPTURE, ETC., FUR-BEARING ANIMALS; EXEMPTION OF LAWRENCE COUNTY

Any person shall be strictly liable for civil damages who causes the injury or damage to any person or domestic animal as a result of using any trap or similar device on public land to take, capture or kill any of the fur-bearing animals protected by the laws or regulations of this state.

Any person who suffers injury or damage to his person or domestic animal as a result of such activity shall have an action for civil damages and such aggrieved person need not prove negligence.

The provisions of this section shall not apply to Lawrence County.

Section 9-11-265 TRAPPING ON OR FROM RIGHT-OF-WAY OF STATE HIGHWAY; EXEMPTION OF LAWRENCE COUNTY

It shall be unlawful for anyone to trap on or from a state highway right-of-way unless the trapper has the permission of adjoining landowners.

The provisions of this section shall not apply to Lawrence County.

Section 9-11-265.1 SECTIONS 9-11-264 AND 9-11-265 INAPPLICABLE IN LIMESTONE COUNTY

The provisions of Sections 9-11-264 and 9-11-265 shall not apply to Limestone County.

Section 9-11-266 CHECKING OF TRAPS; HANGING OR SUSPENDING OF BAIT OVER OR WITHIN 25 FEET OF STEEL TRAP

All traps set in or beneath water must be checked at least once every 72 hours. All traps other than water sets must be checked at least once every 24 hours.

It shall be unlawful for anyone to hang or suspend bait over or within 25 feet of a steel trap.

Section 9-11-267 FILING OF REPORTS AS TO ANIMALS TRAPPED, PURCHASED, ETC., BY PERSONS LICENSED TO TRAP FUR-BEARING ANIMALS AND BY FUR DEALERS

Any person licensed to trap fur-bearing animals in the State of Alabama shall file with the Division of Wildlife and Freshwater Fisheries office in Montgomery a report listing by county the number and type of animals trapped during the preceding season and the names and addresses of the persons or companies to whom the furs were sold.

Any person, firm or corporation licensed as a fur dealer pursuant to the laws of Alabama shall file a report with the Division of Wildlife and Freshwater Fisheries office in Montgomery listing the names and addresses of each trapper from whom furs were purchased and describing the number and type of furs purchased from each trapper. All reports required by this section must be submitted no later than 45 days after the close of each trapping season.

Section 9-11-268 PENALTY FOR VIOLATIONS OF PROVISIONS OF SECTIONS 9-11-265, 9-11-266 AND 9-11-267

A violation of the provisions of Sections 9-11-265, 9-11-266 and 9-11-267 or failure to fully comply therewith shall constitute a misdemeanor and the person violating same or failing to comply therewith shall be punished by a fine of not less than \$50.00 nor more than \$200.00 for each offense.

**Regulation 220-2-.30 FUR-BEARING ANIMALS DESIGNATED/TRAP SPECIFICATIONS/
AND PROHIBITED DEVICES/TAGGING REQUIREMENT**

The following shall be named and designated as fur-bearing animals in Alabama: Beaver, Bobcat, Fox, Mink, Muskrat, Nutria, Opossum, Otter, Raccoon, Striped Skunk, Coyote, and Feral Swine.

- (1) Trap Specifications— It shall be unlawful for any person to set or use a leg hold trap on land that has an inside diameter jaw spread greater than six (6) inches as measured at the widest point perpendicular to the frame and parallel to the trap dog and for those traps without a dog, at the widest point parallel with the pan shank. Leg hold trap having teeth or serrated edges along the inside of one or both jaws are prohibited. All body gripping traps with jaw width exceeding 5 inches as measured from the inside of the main jaw at the trigger assembly to the inside of the opposing jaw across the entrance window, and snares (except powered foot snare with a maximum loop of 5 1/2 inches) are prohibited for use in trapping fur-bearing animals on land.
- (2) Any person trapping fur-bearing animals, except for feral swine, in the State of Alabama must carry a choke stick while running traps. When trapped fur-bearing animals are dispatched with a firearm, only standard .22 caliber rimfire firearms may be used. However, feral swine may be dispatched by any firearm or sharpened blade.
- (3) Tagging Bobcat/Otter Pelts—Persons taking bobcat and otter must have the fur or pelts tagged by representatives of the Division of Wildlife and Freshwater Fisheries within 14 days of taking and before the fur or pelt is sold or otherwise disposed of.
 - a. However, a licensed fur catcher may sell untagged bobcat and otter to an authorized resident fur dealer and leave a completed signed fur tag report with said dealer. The dealer must then have the bobcat and otter tagged by a representative of the Division of Wildlife and Freshwater Fisheries within 14 days of purchasing bobcat or otter pelts.
 - b. Legally acquired bobcat and otter pelts or carcasses may be delivered untagged to a resident taxidermist for mounting if the owner leaves a completed, signed fur tag report with said taxidermist. The taxidermist must then have the bobcat and otter tagged by a representative of the Division of Wildlife and Freshwater Fisheries within 14 days of taking delivery of said pelts and transmit the completed fur tag report to the Division of Wildlife and Freshwater Fisheries representative at the time the pelt or carcass is tagged.
 - c. Tags may be removed from bobcat and otter pelts when processed by a taxidermist for mounting. However, the removed tag must remain with the mounted specimen when it is returned to its owner and until the mount and pelt are destroyed.
 - d. It shall be unlawful for anyone to ship, transport, or export bobcat and otter pelts from this state unless said bobcat and otter pelts are tagged by a representative of the Division of Wildlife and Freshwater Fisheries.
 - e. All bobcat and otter pelts shipped or imported into this state must be officially tagged by the state of origin.
- (4) It shall be illegal to set a trap on top of a post or stake elevated above ground level.
- (5) It shall be unlawful for any person to possess a furbearer alive beyond the confines of the trap without permit from the Commissioner of the Department of Conservation and Natural Resources or his designee. Except for feral swine, all furbearers shall be immediately dispatched or released at the trap site. All feral swine must be killed at the site of capture in accordance with rule 220-2-.86.
- (6) It shall be unlawful for any person to disturb a legally set trap or to remove a furbearing animal from a trap without permission of the owner.

Regulation 220-2-.31 UNLAWFUL TO HANG OR SUSPEND BAIT

It shall be unlawful to hang or suspend bait over or within 25 feet of a steel trap.