

CHAPTER 20.1-07 FUR-BEARING ANIMALS, REGULATIONS

20.1-07-01. General penalty.

Any person violating a provision of this chapter for which a penalty is not specifically provided is guilty of a class B misdemeanor.

20.1-07-02. Property rights - Wild fur-bearing animals.

Any person, firm, corporation, or limited liability company raising and owning any protected fur-bearing animal, or in possession of the pelt of any wild animal lawfully obtained, has the same property rights therein as enjoyed by owners of domestic animals. They are, however, subject to all rules adopted by the director in regard to the introduction and release into the state of the animals, as provided in subsection 13 of section 20.1-02-05.

20.1-07-03. Fur-bearing animals which are protected not to be taken or disturbed during closed seasons.

No person may hunt, shoot, trap, or take, in this state, any fur-bearer, except during the open or lawful season thereon as established under section 20.1-07-04 or 20.1-08-02.

20.1-07-03.1. Use of snares for taking coyotes - Restrictions - Identification - Snare standards.

1. The governor shall establish by proclamation an upland snaring season for the taking of coyotes.
2. No person may set or lay any snare for the purpose of taking coyotes on land belonging to another private person without receiving written permission from that person.
3. A person using a snare for the purpose of taking coyotes shall permanently affix with a metal or plastic tag the registration number issued by the department, or that person's name, address, and telephone number to each snare being used.
4. The director shall establish and publish in pamphlet form safety standards for snares used for the taking of coyotes, which will prevent the accidental holding of deer and other appropriate animals. These standards must be followed by any person using a snare pursuant to this section.

20.1-07-04. Depredating fur-bearing animals - Destruction and disposition.

A landowner or tenant or that person's agent may catch or kill any wild fur-bearing animal that is committing depredations upon that person's poultry, domestic animals, or crops, except a landowner or tenant or that person's agent shall notify and obtain the approval of the director before catching or killing a black bear. A landowner or tenant or that person's agent may not commercialize in, sell, or ship an animal or the pelt or any part of an animal caught or killed under this section if caught or killed during the closed season. A person catching or killing a black bear or mountain lion under this section shall report the capture or killing to the department within twenty-four hours and the entire animal must be turned over to the department.

20.1-07-05. Manner of taking protected fur-bearing animals restricted - Destruction of property of others unlawful - Penalty.

It is unlawful to molest or destroy the natural burrow, den, or retreat of any protected fur-bearer or to damage or injure the property of another while taking or attempting to take that fur-bearer. The governor, at the advice of the director, may by proclamation determine the manner in which fur-bearing animals may be taken in accordance with this section. The director, by permit, may allow the taking of fur-bearing animals for wildlife management purposes. Any person who violates this section is guilty of a class 2 noncriminal offense.

20.1-07-06. Unlawful possession of fur-bearers - Each violation is a distinct offense.

No person may unlawfully:

1. Kill, take, attempt to take, possess, transport, accept for transportation, buy, sell, offer for sale, barter, or otherwise dispose of any fur-bearing animal or any part thereof.
2. Take or attempt to take any fur-bearer outside a regularly prescribed season or without a license or as provided in section 20.1-07-04, or violate any of this chapter.

Each violation constitutes a distinct and separate offense.