



# MANCHESTER-BY-THE-SEA

BOARD OF HEALTH • TOWN HALL  
Manchester-by-the-Sea, Massachusetts 01944-1399  
Tel. (978) 526-7385 FAX (978) 526-2001

## Minimum Standards for Keeping of Animals Town of Manchester-by-the-Sea Board of Health

### Section 1

### Definitions

Animal:	Any animals including but not limited to poultry, bird, reptile, cow, swine, horse.
Board of Health	The Manchester-by-the-Sea Board of Health
Facility	any corral, building, dry lot, enclosure, paddock, coop, run shed, stable, stall or structure used for storage of food supplies and/or equipment normally associated with the keeping of animals, or for the keeping or restraining of any animal
Flooding	general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, or from the unusual and rapid accumulation or runoff of surface waters from any source.
Large Animal	including but not limited to: horses, ponies, cows, bulls, cattle, sheep, goats, and swine
License	written authorization from the Board of Health to construct or maintain a structure for the keeping of animals
Manure	excrement and used bedding from animals
Original	first time a license or permit is issued. An application for a permit for a different, additional or replacement animal will not be considered original
Owner	every person who alone, or jointly with other(s) has legal title to any facility or has care charge, custody or control of any facility.
Paddock	a fenced in area for turn out and/or exercising animals
Pasture	plot of fenced in land used for grazing and/or feeding of animals

Permit	written authorization by the Board of Health to keep animals
Poultry	all domesticated or semi-domesticated fowl such as but not limited to chickens, turkeys, ducks, guinea fowl, pheasants, and pigeons.
Runoff	any liquid or solid suspended in liquid that flows over the surface of the ground
Shelter	minimum housing required for horses, ponies, cattle, sheep, goats and swine
Small Animal	any non-domestic animal including but not limited to: rabbits and poultry and other similar small animals
Stable	building or structure in which animals are housed and or fed
Stall	a compartment in a stable used for the keeping of one or more animals
Suitable Land	land with a natural drainage class of excessively drained, somewhat excessively drained, well drained or moderately well drained. Suitable land shall be land that is not a wetland as defined under M.G.L. ch. 131 or 310 CMR 10.000 or subject to flooding
Swine	any hoofed animal of the porcine species.
Vermin	any of various destructive insects or small animals including, but not limited to flies, mosquitoes, lice, mice and rats
Wetland	as defined under M.G.L. Ch. 131, S. 40, 310 CMR 10.000, the Wetlands Protection Act, and the Town of Manchester by-the-Sea Wetlands By-Law, as amended from time to time

Section 2

Keeping of Animals Permit

- 2.1 A keeping of animals permit issued by the Board of Health shall be required for the keeping of horses, goats, sheep, swine, and other large animals. A permit shall be renewed annually. The length of the permit will be 12 months with the permits issued on May 1<sup>st</sup> and expiring on April 30<sup>th</sup> of the following year.
- 2.2 A keeping of animals permit issued by the Board of Health shall be required when ten (10) or more small animals are kept. A permit shall be renewed annually
- 2.3 A keeping of animals permit shall be kept on the premises for which it is issued, and shall be produced upon demand of the Manchester Animal Control/Animal Inspector and any agent or member of the Board of Health
- 2.4 The keeping of animals permit fee of \$10.00 shall apply
- 2.5 Animals not normally found or kept as domesticated animals such as, but not limited to, feral animals shall not be permitted except by written consent of the Board of Health and other approving authorities.
- 2.6 Appropriate shelter shall be provided for the animals kept.

### Section 3

### Stable License

- 3.1 No person shall occupy or use a stable unless it has been licensed by the Board of Health. Any person who proposes to remodel a building or portion thereof to be used as a stable, or who proposes to renovate, alter or enlarge any existing stable, or proposes to construct a new building which is to be used in whole or in part as a stable shall, prior to such remodeling, renovation, alteration, enlargement, or construction, -submit plans thereof to the Board of Health for approval. Issuance of a stable license shall constitute approval.
- 3.2 Application shall be made to the Board on a form provided by the Board and licenses must be renewed annually.
- 3.3 The Stable License fee of \$10.00 shall apply.
- 3.4 The original license application under this Regulation shall be accompanied by a plan locating stable, paddock(s) and manure storage area, and any septic system, private or public well, surface watercourses and any wetlands within 100 (one hundred) feet of the stable, paddock(s) and/or manure area. Additionally, lot lines and abutting streets shall be shown on the plan.
- 3.5 Each application shall also make arrangement for the storage, handling, and disposal of manure. Agreement or Contracts for manure clean up and/or disposal of manure by others shall be submitted as part of the application package and shall be concurrent with the stable license and keeping of animals permit.
- 3.6 An amended application for a stable license shall be submitted thirty days prior to any changes in the location of the stable, paddock(s) or manure storage area(s), if the stable, paddock or manure area are increased or if any new stable, paddock(s) or manure storage area(s) are built or established, or if ownership of the stable changes

**Section 4**

**Location**

- 4.1 Each stable shall be located on land with good drainage ability and not subject to flooding. The stable shall be at least 100(one hundred) feet from any wetland and 100 (one hundred) feet from any well.
- 4.2 No manure storage area, paddock, corral or pasture shall be located within:
- a. 100 (one hundred) feet of wetlands or watercourse as defined by M.G.L. ch. 131, s. 40
  - b. 50 (fifty) feet of a lot line or public way
  - c. 100 (one hundred) feet of wells
  - d. 400 (four hundred) feet of public water supply wells as required by DEP
- 4.3 No paddock, corral or pasture shall be located over the leaching facility of a subsurface sewage disposal system

**Section 5**

**Maintenance**

Animal owners and stable owners and operators are required to comply with the following:

- 5.1 All manure must be removed from the stalls at least once each day and not allowed to accumulate in corrals or other areas of the property.
- Provisions should be made for the disposal of manure with sufficient frequency and in such manner as to be satisfactory to the Board of Health.
- Location of manure storage pits must be approved by the Board of Health.
- 5.2 The owner shall have in place a pest control plan with an approved pest control company. A copy of this plan shall be provided with the application package.
- 5.3 Take all reasonable precautions to prevent the spread of infectious or contagious diseases.

**Section 6**      **Keeping of Large Animals**

- 6.1            Area requirement for keeping of large animals will be a minimum of 1 acre of suitable land per large animal.
- 6.2            Under no circumstances shall large or small animals as defined in this regulation be allowed to roam free off the owner's premises.
- Repeated violation of this regulation will result in suspension of the permit.
- 6.3            Fencing shall be post and board or split rail or wire or other suitable fencing material to contain the animal(s).

**Section 7**      **Existing Facilities**

- 7.1            If a Keeping of Animals Permit or Stable License of an existing facility are not obtained within 60 days of the effective date of these regulations, the existing facility will be treated as a new facility when obtaining a Keeping of Animals Permit and a Stable License.
- 7.2            Existing facilities with animals already on the premises (as of the effective date of these regulations) will be permitted use of the existing stable structure for the purpose of the Stable License.
- 7.3            Existing facilities shall comply with all portions of this regulation except as stated in section 7.2

**Section 8**      **Enforcement**

- 8.1            In addition to the enforcement provisions of any applicable federal, state and local law, by-law or regulations, the Board of Health may deny, revoke, suspend, or refuse to renew a permit or license

                 Upon the Board's finding that the person has:

- A. violated any provision of M.G.L., ch. 272, s.77 or 78A;
- B. violated any provision of this Regulation;
- C. violated a quarantine order

**Section 9**      **Appeal**

Any person aggrieved by the decision of the Board of Health may seek relief as provided by the laws of the Commonwealth of Massachusetts

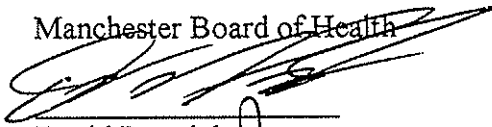
**Section 10**      **Severability**

10.1              Each part of this Regulation shall be construed as separate to the end that if any part of the Regulation or sentence, clause or phrase thereof shall be held invalid for any reason, the remainder of the Regulation shall continue in full force.

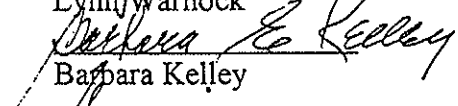
**Section 11**      **Adoption and Effect**

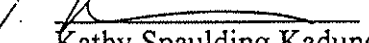
11.1              These rules and regulations were adopted by vote of the Board of Health and are to be in full force and effect on and after April 12, 2005 and shall, before said effective date, be posted in the office of the Town Clerk.

Manchester Board of Health

  
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Dr. Peter Germond