

§ 201-11. Minimum Standards for the Keeping of Farm Animals and Poultry

[Amended 10-24-2011; Effective 12-1-2011; Amended 3-27-2018; Effective May 1, 2018]

- A. Purpose: The Northbridge Board of Health is responsible for the protection of the public health and welfare in the Town of Northbridge. In an effort to protect the health and safety of the public, farm animals, and poultry in the town, the following regulations are promulgated.
- B. Authority: These regulations are adopted in accordance with the provisions of Massachusetts General Laws, Chapter 111, Sections 31 and 155.

C. DEFINITIONS

Farm Animal: shall include, but not be limited to, any horse, donkey, pony, mule, goat, swine, sheep, cow or any other animal except household pets.

Corral or Paddock: shall mean a fenced area designed to allow for the free roaming of animals.

Household Pets: shall mean animals that are normally kept inside a residential dwelling including but not limited to dogs, cats, ferrets, fish, domestic or exotic birds, or other small rodents.

Lot: a contiguous area of land, under one ownership, with definite boundaries.

Manure Management Plan (MMP): shall mean a plan for the handling of manure and other wastes. MMP shall address cleaning, composting, storage, utilization and removal of manure and other wastes.

Poultry: includes but is not limited to chickens, ducks, guinea fowl, peafowl, pheasants, partridges, quails and turkeys.

Rooster: an adult male chicken

Stable: shall mean a building or enclosure used to house or confine one or more animals or poultry and to store the food supplies normally associated with the keeping of animals and poultry.

- D. Permit Required: No person shall keep any farm animal or poultry without first obtaining a permit from the Board of Health, nor shall any person, firm or corporation owning or responsible for the custody of a farm animal or poultry within the limits of this town, for the purpose of stabling such animal or poultry, use or occupy any building, shed or other structure which does not conform to the requirements of these regulations.

- E. No permit shall be issued to keep a farm animal on any lot of land containing less than one (1) acre. Additional farm animals up to a total of four (4) shall not be permitted unless the lot contains a minimum of two-thirds ($2/3$) of an acre per each additional animal. More than four farm animals may be permitted to be kept on lots containing more than three (3) acres provided that lot dimensions are acceptable to the Board of Health, the land area is suitable for the raising of animals such as pastures, fields and wooded uplands not including wetlands or other areas as may be restricted by town state or federal law, regulations or guidelines and provided that the granting of such permit will not adversely affect the public health, safety, and welfare.

No permit shall be issued to keep poultry on any lot of land containing less than 30,000 square feet (SF).

Roosters shall not be permitted in the Town of Northbridge unless they are kept on a parcel of land greater than three (3) acres in size. If determined by the Board of Health that roosters are creating a nuisance the Board may issue an order for their immediate removal.

- F. Applications for all permits required by these regulations shall be made to the Board of Health. Each application shall state the name of the applicant and the location of the premises to be used, and each application shall specify the area and the location of the premises for which a permit is requested and shall specify the number and type of farm animals and poultry which are to be kept therein. Such permits shall cover only one location. Each application shall also contain a certified plot plan noting location of dwelling, stable, corral, dwellings located on abutting property including locations of any on-site sewage disposal systems and private drinking water wells within 200-feet of the proposed stable and corral area. Said plan shall note all distances between each structure, sewage system, and well. The Board may require additional information upon review of the permit application.
- G. All permits shall expire on March 31 of each year but may be renewed annually on application, provided that the applicant is then qualified to receive a permit and the premises for which a renewal is sought are suitable for such purpose.
- H. No person shall erect, occupy or use for a stable any building in the Town of Northbridge unless such use is approved by the Board of Health. Each stall shall contain a minimum of 100 square feet for the first farm animal and at least 60 additional square feet for each additional animal.
- Adequate housing must be provided for poultry to protect them from wind, weather and predators. Housing shall provide plenty of ventilation, ample space to allow birds to move freely and an area that is out of direct light for hens to lay eggs.
- I. Any person who proposes to remodel a building or a portion thereof which is being used as a stable or who 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 or constructing, submit plans to the Board of Health for approval. Such construction must begin within 90 days of date of approval. Stable shall not be occupied until a certificate of occupancy is issued by the Inspector of Buildings.

- J. All premises used for the keeping or stabling of farm animals or poultry shall be adequately fenced so as to prevent the escape of the animals there from. At no time shall farm animals or poultry be allowed to roam unattended or onto another person's property.
- K. No such permit shall be issued which would involve a violation of the zoning or protective bylaw of the town. See Zoning Chapter 173: Table of Use Regulation.
- L. Sanitary requirements.
 - (1) Each stable shall be furnished with an adequate and safe water supply for feeding, cleaning and fire protection services.
 - (2) Animal and poultry feed shall be stored in sealed, moisture-proof and vermin-proof containers.
 - (3) Each stall in the stable shall be provided with adequate drainage so as to remain dry and clean, in a manner satisfactory to the Board of Health.
 - (4) Bedding shall consist of straw, hay or like substances but shall not contain in whole or in part any wool waste.
 - (5) All manure must be removed from the stalls at least once each day and not allowed to accumulate in corrals or other areas on the property. Manure shall be collected at a single location, carefully chosen to maximize the distance from abutting properties and watercourses.
 - (6) Provisions should be made for the disposal of manure with sufficient frequency and in such a manner as to be satisfactory to the Board of Health and in such a manner as to prevent the creation of objectionable conditions.
 - (7) Location of manure pits must be approved by the Board of Health. In fly-breeding seasons, manure shall be periodically treated with chemicals for fly control. Any chemical approved by the United States Department of Agriculture shall suffice.
 - (8) Manure shall not be stockpiled between April 15 and October 15.
 - (9) Floors shall consist of any material acceptable to the Board of Health, such as a thin layer of sand and clay over a gravel base or crushed stone.

- (10) For ventilation purposes, each stable shall have an effective window area of at least 10% of the total floor area.
- (11) Each stable shall be located on land with good drainage and not susceptible to flooding.
- (12) Each stable and corral or paddock shall be located on a lot not less than:
 - a. 25-feet from an abutting property line
 - b. 100-feet from any swamp, stream, pond or drainage easement
 - c. 100-feet from any abutting dwelling
 - d. 100-feet from any private drinking water well

These requirements may be enlarged or increased in any particular case at the discretion of the Board of Health

- (13) Permit cost shall be set by the Board. [See § 201-23 Fee Schedule]
- M. Any property used to house farm animals or poultry shall be subject to inspection by the Inspector of Animals, the Board, or its Agent, at any reasonable time. Failure to allow an inspection upon request shall be cause for permit revocation. The Board or its agent may revoke a permit for cause without a public hearing if a condition exists which may endanger the health, safety or welfare of the animals or poultry or the general public, or which is a nuisance. The Board maintains the authority to hold a public hearing to consider the revocation of a permit. Any person aggrieved shall have the right to appeal such revocation at a public hearing of the Board if no hearing was held prior to the revocation.
- N. A permit to stable or keep farm animals or poultry on property in the Town of Northbridge is not transferable.
- O. All permits issued for the stabling of farm animals prior to the adoption of these regulations shall be valid and may be renewed subject to the regulations in effect prior to the adoption of these new regulations providing conditions contained in the original application have not changed and that no conditions exist that would be injurious to public health, or restrict the normal use and enjoyment of contiguous property.
- P. Variance Procedure: Any request for a variance from the regulations contained in § 201-11 must be submitted in writing to the Board. The Board shall within 21 days of receipt of the request for variance hold a public meeting, at which time the applicant must demonstrate to the Board, by clear and convincing evidence, that there will be no adverse effect on the public health by the granting of the variance request. All decisions rendered by the Board shall be made in writing and shall be kept on file in the office of the Board of Health.