



Wellesley

MASSACHUSETTS

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CHAPTER XVI

ANIMALS – LIVESTOCK AND FERAL OR WILD

ANIMALS - LIVESTOCK

KEEPING OF HORSES, COWS, LLAMAS, GOATS, SHEEP, SWINE AND POULTRY

1.00 Permit Requirement. No one shall keep or allow to be kept in any building or on any premises of which he may own, lease or occupy, any horses, cows, llamas, sheep, goats, swine, poultry or other animal as determined by the Director of Public Health without a permit from the Board of Health.

2.00 Permits. The Board of Health may grant a permit after a public hearing. The applicant must notify all abutters by certified mail at least seven (7) days prior to the public hearing. Proof of notification must be presented at the hearing.

2.01 A permit may be suspended or revoked by the Board of Health if the permittee fails to comply with these regulations or when the Board determines a nuisance condition exists.

2.02 Permits shall be valid for one year from the date of issuance unless revoked sooner by the Board. Permits may be renewed without a public hearing if there are no validated complaints on record with the Health Department during the current year. No permit shall be transferable.

2.03 The keeping of a rooster or swine shall require an annual hearing before the Board of Health. The applicant must notify all abutters by certified mail at least seven days prior to the hearing.

2.04 Reserved.

3.00 Sanitation. The owner of any cows, llamas, sheep, goats, swine or poultry shall keep all premises and buildings clean and free from decaying food, filth, rodents and stagnant water.

3.01 The owner of any horse or other domestic animal shall provide a manure pit constructed of cement or building blocks for storing of manure.

3.02. No one shall feed garbage to any animals without the written approval of the Director of Public Health.

3.03 Reserved.

4.00 Distance Requirements. No live fowl shall be kept less than one hundred (100) feet from an abutter's dwelling on adjacent property or less than fifty (50) feet from any public or private way.

4.01 No horses, llamas, cows, goats, sheep, or swine shall be kept closer than one hundred fifty (150) feet from an abutting dwelling unless it is occupied by the owner of the said animals.

4.02 Reserved.

5.00 General Provisions. The Board of Health reserves the right to limit the number of animals that may be kept in a building, on a lot or a parcel of land.

5.01 Poultry shall be confined at all times and not permitted to run at large.

5.02 No reptiles may be kept unless they are species indigenous to the area constituted by the standard metropolitan statistical area of the city of Boston.

5.03 Reserved.

ANIMALS-WILD

FERAL OR WILD ANIMALS

6.00 Permit Requirement. The keeping of any feral animal, or other animal that ordinarily exists in a wild state, shall require a permit from the Board of Health. A feral animal is defined as an animal in a wild state that ordinarily exists in a domesticated state.

6.01 A hearing shall be held by the Board before granting such a permit. The Board may define specific conditions relative to the keeping of such animals as well as the maximum number of animals permitted.

6.02 A permit shall be for a maximum of one year from the date of approval, however, the Board reserves the right to issue a permit for lesser periods of time.

6.03 Permit renewal shall require a new hearing before the Board. Prior to the renewal hearing the applicant must notify all abutters by certified mail at least seven days in advance of hearing date.

6.04 Anyone nurturing, feeding, or otherwise sustaining wild or feral animals shall be required to obtain a permit. This shall not apply to the feeding of birds.

6.05 The exhibition or educational demonstration of wildlife species shall be allowable; however, the Health Department shall have the authority to inspect the conditions and conduct of such events to evaluate public safety and the maintenance of satisfactory sanitary conditions. If in the judgment of the Director of Public Health, the exhibition compromises standards of safety or sanitation, the Director shall order immediate corrective action, or the termination of the activity.

6.06 Reserved.

7.00 Revocation or Suspension. The Board reserves the right to revoke or suspend any permit issued under the provisions of this regulation.

7.01 If, in the judgment of the Director of Public Health, any animals permitted under this regulation present an immediate threat to public health, the Director may order the animal(s) to be immediately removed until the Board convenes a hearing. The expense of capture and confinement shall be the responsibility of the permit holder. A hearing must be held within ten (10) days of removal order.

7.02 Anyone who keeps such an animal without a permit shall be responsible for all costs associated with capture and confinement of the animal. Final disposition of such an animal shall be determined by the Board of Health.

7.03 Reserved.

8.00 Pet Stores. Pet stores must obtain a permit from the Board of Health for the keeping of any animals.

8.01 Reptiles that are not indigenous to the standard metropolitan statistical area of the City of Boston shall not be permitted, nor shall venomous reptiles be permitted.

8.02 Pet stores must be maintained in a clean and sanitary state satisfactory to the Health Department. If the Director of Public Health determines a pet store to be unsanitary in its operation he is authorized to suspend the permit until the unsanitary condition is corrected.

8.03 Permits shall be good for one year only.

8.04 Reserved.

9.00 Immunizations. All dogs and cats shall be immunized against rabies. Anyone owning or having control of a dog or cat shall be required to keep the animal(s) immunized.

9.01 Enforcement. The Animal Control Officer shall be authorized to enforce the immunization requirement in accordance with the provisions of Massachusetts General Laws Chapter 40, Section 21D and Article 52 of The Wellesley Town Bylaws. Penalty for failure to comply shall be \$50.00.

9.02 Reserved