

**Town of Norwood
Board of Health
Rules and Regulations for Keeping of Animals**

Section 1-1 Authority

These regulations are adopted under the authority of MGL Chapter 111, Section 31, as reasonable health regulations designed to protect the health of those who reside within the Town of Norwood. The following regulations pertain to the keeping of animals.

Section 1-2 Statement of Purpose

Whereas minimum standards to promote the protection of the public health are considered necessary for the health, safety and welfare of the community, the Town Board of Health has adopted these regulations.

Section 1-3 Definitions

Abutters: Owners of abutting land or property within one hundred (100) feet of the applicant's property line. A person will only qualify as an abutter for the purpose of this regulation if they possess an ownership interest in the abutting land.

Applicant: One who applies for a permit to keep one or more animals.

Board of Health: A municipal agency, either appointed or elected, and all of its officers charged with ensuring the protection of public health in that municipality.

Corral: An enclosure for the confining of one or more animals.

Companion Animals/Household Pets: Animals that are primarily kept indoors for non-commercial purposes including, but not limited to dogs, cats, ferrets, pot-bellied pigs, fish, domesticated or exotic birds, guinea pigs, hamsters, and mice.

Dwelling: Any building, shelter or structure used or intended for human habitation.

Facility: The total accommodations to be used for the keeping or housing and care of one or more animals, including but not limited to a barn, stable or henhouse.

Fencing: Installed for the purpose of privacy or livestock containment.

Grandfathered: Pre-existing conditions to include existing infrastructure such as fencing, corrals, barns, stables, etc. that existed with a Keeping of Animals Permit issued by the Board of Health before the adoption of this regulation, or when property was purchased or conditions that existed before the adoption of regulations or the issuance of Keeping of Animals Permits by the Board of Health, are considered to be grandfathered and can remain so as long as they are not altered or enlarged without the necessary approvals.

Livestock: Animals kept for agricultural uses including but not limited to cattle, goats, sheep, swine, equines, camelids, poultry, etc. This term shall not apply to companion animals, as defined in this section.

Livestock Structure: Any structure used to house, shelter or contain livestock.

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

MDAR: Massachusetts Department of Agricultural Resources.

Nuisance: any condition including, but not limited to, noise, offensive odor, attraction or breeding of insects, such as flies, an environment supporting the presence of rodents, or any other condition having public health or environmental significance. This definition shall be mindful of M.G.L. Chapter 111, Section 125A.

Owner: every person who alone or jointly with one or more other persons has legal title to any lot, building, structure, dwelling or dwelling unit.

Pigeons: member of the Columbidea family of birds that include “racing,” “fancy” and sporting pigeons.

Stable: An accessory building or structure used for the shelter and/or feeding of one or more animals.

Stall: A compartment in a stable used for the keeping of one or more animals.

Useable Area: Land area suitable for the keeping of animals including but not limited to pastures, fields, wooded uplands.

Unsanitary Conditions: the state of being or condition which, in the judgment of the Board of Health, is conducive to, or results in, breeding of flies, creation of offensive odors, rodent infestation, liquid effluent, runoff, and/or noise, in such concentrations and/or such duration as to cause a nuisance, be potentially injurious to human health, or unreasonably interfere with the health and safe enjoyment of life and property.

Wetlands: Land area or surface area so defined by Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, section 40 and regulations promulgated pursuant thereto at 310 CMR 10.00 or pursuant to Section 404 of the Federal Water Pollution Control Act, U.S.C. 1341.

Wild & Exotic Animals: Any animal not normally found or kept as a domesticated animal, and which requires a permit to keep issued by either a federal or state wildlife agency, including but not limited to deer, poisonous reptiles, alligators, monkeys, lions and tigers.

Section 1-4 General Requirements

A. All applications must be submitted to the Board of Health for review and approval and meet the criteria set forth in this regulation. Applicants must ensure that the setbacks listed below are met and are shown on the site or plot plan for approval.

B. All structures must comply with the setbacks as set forth in the Town of Norwood Zoning By-Laws not withstanding protection accorded by MGL 40a S3 and the Wetland Protections Act 310 CMR Section 10.00. Any structure and/or enclosure must be at minimum 20 feet from any dwelling and 10 feet from abutting property lines.

C. The owners or persons in control of any buildings or premises in which animals are kept must have a manure storage and disposal plan approved by the Board of Health. Manure shall be removed frequently from the animal area and housing and stored, piled or spread in such a manner as so not to cause a breeding place for flies or offensive odors. Manure storage shall be periodically treated with lime. Waste shall either be composted with carbonaceous material such as hay, bedding or leaves or stored in a sealed container until it is removed from the property.

- D. The number of hens allowed shall be determined by the amount of square footage of the area provided (or roaming area) for the hens, not by the whole lot unless the whole lot is enclosed as a roaming area for the hens. Six (6) hens for every 200 square feet for a maximum of 24 hens.
- E. Facility and premises thereof shall be kept in a sanitary condition.
- F. Facility shall be furnished with an adequate and safe supply for feeding and cleaning purposes.
- G. Floors and walls shall be designed, constructed and maintained as not to cause or contribute to unsanitary conditions in the animal facility.
- H. Effective measures shall be taken to prevent and control rodents. Feed must be stored in a rodent-proof container.
- I. Roosters are not allowed to be kept in Norwood.
- J. Structure will be located in a well-drained area that does not discharge on a public way or neighbor's property.
- K. All outdoor roaming areas shall be sufficiently enclosed from the public way and neighboring properties. Animals shall be confined to the subject property and not allowed to wander onto other properties including Town owned lands.
- L. Animals shall not be kept with in living area of a residential structure.
- M. Any sale or sharing of eggs must follow the Massachusetts Department of Public Health Food Protection Program guidelines which state that the sale of farm fresh eggs must be stored and maintained at 45°F (7.3°C).
- N. Odors from manure or other related substances shall not be perceptible at the property boundaries.
- O. All Pigeons shall be confined to their coop except for limited periods necessary for exercise, training, and competition. At no time shall Pigeons be allowed to perch or linger on buildings or the property of others. Flight activities shall not adversely affect adjacent properties.
- P. There shall be at least one (1) square foot of floor space for each mature Pigeon kept within the coop. Coops shall be cleaned regularly to maintain sanitary conditions and thoroughly disinfected at least three times a year.
- Q. Pig pens and other pig enclosures shall not be located within one hundred (100) feet of any public or private way, nor within 150 feet of any abutters dwellings and shall be suitably isolated and maintained in such a manner that no nuisance shall be created.
- R. No poisonous snake or reptile shall be kept within the town limits.
- S. **BIOSECURITY** (Preventative measures taken to reduce the spread of disease in livestock) Biosecurity measures will be followed at all times as recommended by the Norwood Board of Health, Massachusetts Department of Public health (MDPH), the Massachusetts Department of Agriculture Resources (MDAR), and the Massachusetts Division of Fisheries and Wildlife (MDFW). Report immediately any signs of illness/disease or unexpected deaths to the Division of Animal Health (617-626-1795) and the Norwood Health Department (781-762-1240)

Section 1-5 Permit and Application Requirements

A permit is required for anyone keeping one or more animals as defined in this regulation, except on parcels of two or more acres of land which meet the requirements of MGL 40a Section 3 and/or MGL Chapter 128 Section 1a. At the time of application; the applicant shall provide the Board of Health with the following documents:

A. Application(s) for a permit for the purpose of keeping animals shall be submitted on a form supplied by the Board of Health for each location where animals are kept in the Town. Such application shall be accompanied by the following information:

1. Full name, address, and telephone number of the applicant.
2. Location - street address of the premises to be used. If not the owner of the property a written acknowledgement from the owner of the submitted application
3. Number and species of animals of breeding age to be kept.
4. A plot plan, with dimensions of the area where animals will be kept. Also required on the plot plan are the locations of the primary residence, structure(s), abutting structure(s), corrals, septic system, private wells and wetlands. A hand drawn plot plan is acceptable so long as it is of sufficient detail and quality to allow for proper Board and/or its Agent review.
5. Furnish written verification of all abutters and abutters to abutters within one hundred (100) feet of the applicant's property stating that they have been notified of the applicant's intent and informed that they have the right to express concerns, if any, to the Board and/or its Agent within seven (7) working days. Such verification may be in the form of a signed letter or a receipt from the U.S. Post Office that a certified letter had been sent to the owner of the (abutting) property. A written Management Plan for the following:
 - a) Manure Management Plan
 - b) Storage of Feed
 - c) Pest Control

B. The Board and/or its Agent shall review the completed permit application and issue a decision on the application within thirty (30) days of filing.

C. Fees for permits shall be determined by the Board of Health's fee schedule and shall be subject to annual review.

D. Permits shall expire on December 31, of each year, unless sooner revoked by the Board of Health upon violation of any of the provisions of these regulations. Any permit holder must apply for a renewal of the permit at least thirty (30) days prior to the expiration of said permit. Any changes from the previous permit shall be provided on a renewal application.

E. No person shall erect, occupy or use for a stable, accessory structure or corral intended for the housing or confining of animals unless and until he/she has submitted an initial or revised plan to the Board of Health for review and the same has been approved.

F. Permits are not transferable.

G. All livestock within the Town of Norwood must be confined to the owned or leased property on which the animals are intended to reside or graze, and shall not be allowed to cause property damage or a pose a risk to public safety.

Section 1-6 Pre-Existing Conditions

Pre-Existing infrastructure including but not limited to fencing, corrals, barns, stables, etc. that existed and were shown on an existing Keeping of Animals Permit issued by the Board of Health before the adoption of this regulation, or with prior approval via a variance issued by the Board of Health or which existed with such approvals when the property was purchased, are considered to be grandfathered and can remain so as long as they are not altered or enlarged without the necessary approvals from the Board of Health. Further, infrastructure which existed prior to the adoption of regulations by the Board of Health and/or the issuance of Keeping of Animals Permits shall be considered grandfathered provided that the property owner(s) obtain a permit from the Board of Health.

In the event the Board of Health acting pursuant to G.L. c. 111, Sections 155 and these regulations has reason to believe that the number of animals otherwise allowed to be kept is creating a public nuisance, an unsanitary condition or is otherwise a danger to the public health, then the Board of Health, after written notice to the owner and a public hearing, may reduce the number of animals otherwise allowed to be kept by so as to cure such public nuisance, unsanitary condition or public health danger.

Section 1-7 Exceptions

Companion Animals/Household pets shall be excluded from these regulations.

Section 1-8 Enforcement

A. The Board of Health may deny, suspend, revoke, or refuse to renew a permit for failure to comply with any provision of these regulations.

B. The Owner, a permit holder, their designee, or Responsible Party in charge of a Facility covered by these regulations who fails to comply with these regulations shall be subject to a fine or penalty of not greater than twenty-five dollars (\$25) per day for each violation in accordance with MGL Chapter 111. Each violation of these regulations shall be considered a separate offense.

C. The person(s) who have had a permit denied or revoked shall be ordered to remove all animals from the property within thirty (30) days of said denial or revocation or within a time frame determined by the Board of Health.

D. The continuance of any violation of these regulations beyond a date specified by the Board of Health, when the Owner and/or permit holder of the Facility has been ordered by an agent of the Board of Health to abate any such violations in a safe and sanitary manner, shall be cause for revocation of permit and/or initiation of legal proceedings to eliminate said conditions.

E. The Board of Health or its authorized agent, upon receipt of a valid complaint may reasonably conduct unannounced inspections of a Facility for the keeping of one or more animals to ensure compliance with these regulations.

Section 1-9 Right to a Hearing

Any person or persons aggrieved by a Board of Health order that has been served pursuant to any section of these regulations may request a hearing before the Board of Health by filing a written petition to the health department within seven (7) days of receipt of said order.

Section 1-10 Variance

The Board of Health may grant a variance to any provision of these regulations when, in its opinion, the strict enforcement would do manifest injustice and does not jeopardize public health or the environment.

Section 1-11 Severability

Each provision of these regulations shall be considered as separate to the extent that if any section, item, sentence, clause, or phrase is determined to be invalid for any reason, the remainder of these regulations shall continue in full force and effect.

Section 1-12 Adoption and Effect

These rules and regulations were adopted by a unanimous vote of the Board of Health, Town of Norwood, Massachusetts, on June 20, 2016. A summary explanation of these regulations shall be published in a newspaper of this town and a copy thereof shall be deposited in the Office of the Town Clerk.