



TOWN OF BELLINGHAM

OFFICE OF THE BOARD OF HEALTH

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BELLINGHAM TOWN CLERK

Livestock Regulations (Amended October 24, 2023)

Definition of Livestock: Livestock Raising: The raising or harboring of poultry, cattle, horses, sheep, hogs, rabbits, goats, or similar farm animals six months or older.

The Board of Health in the Town of Bellingham, acting under the authority of Chapter 111 of the MA General Laws and amendments and additions thereto, and by any other applicable authority, in the interest of and for the preservation of the public health, duly made and adopted the following regulations for the control and keeping of livestock on parcels of land in the Town of Bellingham.

1. General Requirements

- a) No rooster(s) are allowed in a residentially zoned area.
- b) Any rooster on a farm* must be kept at least 250' from an abutting residential property line.
- c) No foxes, skunks, minks, raccoons, shall be raised for commercial purposes anywhere within the Town, regardless of the size of the parcel of land.
- d) The owner or other person or persons having control of any existing buildings or buildings hereafter erected or converted into a facility for the keeping of livestock, shall keep said facility in a clean and wholesome condition, free from decaying food, filth, feces, and stagnant water. The building and pens of the facility shall be in such condition as required by these regulations.

* As defined by Zoning Bylaws Section 240-32

- e) All facilities for the keeping of livestock shall be securely fenced. The fence shall be at least four feet high or greater and must be regularly maintained to prevent the escape of

livestock therefrom. At no time will animals be allowed to roam from the permitted unattended lot.

- f) A supply of potable water shall always be available to any livestock kept in the Town.
- g) The keeping or raising of wild (non-domesticated) livestock shall not be permitted except by the expressed consent of the Board of Health and other appropriate state and federal areas of jurisdiction.
- h) The Animal Inspector, Agent of the Board, or member of the Board of Health shall have the right to inspect (with notification) to ensure compliance of these livestock regulations. If a complaint has been filed or if said Animal Inspector, Agent of the Board or member of the Board of Health is required by the State of Massachusetts to perform inspections they shall.
- i) The Bellingham Board of Health regulations do not exempt an owner or corporation of the requirements of, or the need for permits from, other Local, State and Federal regulatory agencies. Bellingham Zoning Regulations depending on the number of livestock animals you have and where your property is located additional permits may be required. Refer to Zoning Regulations Use Schedule Section 240-31 and definitions and terms section 240-32.
- j) Livestock keepers shall follow best management practices guidance provided by the MA Department of Agricultural Resources, Division of Animal Health.
- k) There shall be at least three (3) Square feet of floor space for each mature poultry kept within the run and coop.
- l) Coops or an enclosed area providing shelter for poultry shall be at least 20 feet from any adjacent property line, unless the zoning district requires a greater setback from the property line, in which case the coop must comply with the required setback.
- m) No person shall keep any livestock in a building connected to the dwelling except for the incubation of baby chicks.

- n) Owners of all livestock animals are required to have all vaccinations and testing as required by the Massachusetts state law.

Manure Management Plan Provision

1. All livestock manure or wastes shall be contained at least twenty (20) feet from any abutting lot line and at least (100) feet from any potable water supply wells, wetlands or year-round surface water bodies. Covered containers for manure may replace the (20) twenty-foot setback with prior approval from Board of Health.
2. Provisions shall be made for the proper disposal of manure and bedding material in a manner which will prevent the contamination of surface and/or groundwater, prevent infestation by rodents and insects or the release of objectionable odors.
3. The livestock owner shall collect and properly dispose of all animal waste on a regular basis, (preferably daily) from large animal housing and paddocks. The collected animal waste will be (a) placed in a manure stockpile on an impervious surface, (b) added to a compost pile or (c) spread in a pasture in a manner consistent with good agricultural practices and USDA guidelines.
4. In order to minimize migration of manure constituents, managed waste will be in areas: free of storm water run-off from any structure, be graded to keep surface water from running over or through the managed waste and not be subject to seasonal flooding.
5. In order to facilitate disposal or management by equipment, managed waste will be in areas accessible to needed equipment and where the travel path of equipment can be prohibited from traversing the sewerage soil absorption system.
6. In order to control odors or fly populations, managed waste will be kept under cover, composted or removed off site on a sufficiently regular basis.

Sanitary Requirements

- a) Livestock shall be maintained in a clean and healthy condition.
- b) Any livestock grain feed that is stored on, at, or proximate to the facility for keeping of animals shall be stored in a generally accepted manner, including sealed, moisture-proof, vermin-proof, and rat-proof containers.

- c) No owner of a facility for the keeping of one or more animal, shall willfully or through negligence, suffer, allow or permit an infestation of insects or vermin at said facility. The continuance of an infestation of vermin at or near facility beyond a date specified by the Board of Health, when the owner has been ordered by the Board of Health to abate any such infestation in a safe and sanitary manner, shall be caused for initiation of enforcement proceedings to eliminate said conditions.
- d) Burial must be in compliance with MA state agriculture laws.

(See attached flow chart for further detail)

Variance

The Board of Health may vary the application of any provision of these regulations with respect to any particular case, when, in its opinion, the enforcement thereof would do manifest injustice and it is determined the variance can be granted without substantial detriment to the public good and provided, that the decision of the Board of Health shall not derogate from the intent and purpose of these standards.

Permitting

All livestock shall be permitted annually with the Board of Health between April 1st and June 30th with no fee.

Fines and Penalties

Any person who shall violate of any section contained within these livestock Regulations shall be assessed according to the following fine structure:

- a) First offense would result in a written warning where the enforcement officer may provide up to a maximum of 14 days to correct the violation.
- b) Second offense of the same violation or any other violation within a year of the last offense shall result in a fine of \$100, Plus \$100 for each additional day of non-compliance.

Late fees

Should any owner or keeper of a livestock fail to license that livestock on or before June 30th, that owner or keeper shall pay a late fee of \$50 as established by the Board of Health before obtaining said license. This late fee shall be applicable from the 61st day after arrival of a livestock brought into the Town.

Any who shall violate any provision of these regulations for which penalty is not otherwise provided shall forfeit a sum not exceeding one-hundred dollars (\$100.00) per violation. Each

incident failing to comply with this regulation shall constitute a separate violation. Each 24-hour period notice of violation and failure to correct such violations shall be considered a separate violation and as such, subject to additional penalties, at the discretion of the board. Penalties may be administered by the animal inspector, the Board of Health or its agent in accordance with non-animal disposition procedures.

1. Appeals

Any person to whom order has been served pursuant to this regulation may request a hearing before the Board of Health by filing a written petition within 7 days from receipt of such order.

2. Severability

If section, paragraph, sentence, clause, or phrase of these rules and regulations is held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate and distinct provision and such decision shall not affect the validity of the remaining portions of these regulations which shall remain in force and effect; and to this end, the provisions of these rules and regulations are hereby declared severable.

3. Effective Date

This regulation shall take effect immediately upon publication of notice in local newspaper and deposit in the Town Clerk's Office, in conformance with a unanimous vote of the Board.
Effective Date November 4th, 2019.

By order of the Board of Health

Vincent A. Forte, Jr., Chairman

Patricia A. Leclair, Vice Chairwoman

Kelly A. McGovern, Member

It all starts with the Zoning Bylaw definition:

LIVESTOCK RAISING The raising or harboring of 10 or more poultry or of more than two cattle, horses, sheep, hogs, goats, minks, rabbits, or similar farm animals six months old or older.

