

SECTION I: Animals

- 1. Location of Buildings:** Not less than 150 feet from the high water mark of any source of drinking water supply or any tributary thereof, or less than 150 feet from the high water mark of any open waters flowing directly or ultimately into any source of water supply.
- 2. Construction of Buildings:** All coops, cotes, hutches, or other buildings used to house rabbits, mink, foxes and other fur-bearing animals shall be of durable construction. All structures must be designed to prevent the harborage of rats and mice.
- 3. Ventilation:** All buildings used to house animals must be properly ventilated and kept dry.
- 4. Maintenance of Facility:**
 - A. Nests shall be movable and cleaned frequently.
 - B. Holding cages and areas beneath perches shall be cleaned frequently.
 - C. Feed stations shall be maintained in proper sanitary condition.
 - D. Interior of buildings shall be sealed (or equivalent impervious treatment) at least once a year.
 - E. Area shall be maintained in a clean and sanitary condition.
- 5. Animal Waste and Storage:**
 - A. A covered, ventilated, watertight storage facility constructed of any durable material for the storage of animal wastes shall be provided, and located as to promote frequent removal of wastes from the premises.
 - B. Storage of animal waste shall not be less than 150 feet from the high water mark of any source of drinking water supply or any tributary thereof, or less than 150 feet from high water mark of any open watercourse flowing directly or ultimately to any source of water supply.
 - C. Animal waste must be stored 50 feet from any dwelling and 50 feet from any property line. The waste storage area must be treated and maintained to eliminate odor or insect problems.
 - D. Animals shall be kept in either an approved building or in an enclosure of adequate size. Animals shall not be permitted to roam confines of the property. Animal shall be deemed to be “at large” when off the premises and unaccompanied by the owner, agent or employee of the owner.

Horses and Ponies

- 1. Shots:** Every horse must have annual protective shots against sleeping sickness (Eastern-Western Encephalitis, Tetanus, and Coggins Equine Infectious Anemia). These tests must be completed to insure no lapse of time and a copy of the information must be submitted to the Board of Health.

2. Stables:

- A. A stable permit is required annually. This permit should be obtained from the Board of Health.
- B. Registration: Every owner of horses, ponies, mules, donkeys, sheep, goats, and bovines (cows) or herd animals, shall register with the Board of Health on or before December 31st of each year to obtain a stable permit.
- C. Location: Stables shall not be less than 150 feet from high water of any source of drinking water supply or any tributary thereof, or not less than 150 feet from high water of any open watercourse flowing directly or ultimately to any source of water supply.
- D. Housing: All animals shall be protected from severe weather. The stable should have a weather tight roof and sides, enough head room for the animal and be floored with any material that can be kept clean and dry.
- E. Head Clearance: Minimum of 8 feet for horses and 6 feet for ponies.
- F. Stall Size:
 - 1) Tie Stall (straight stall): 4 feet to 8 inches for horses not over 15.2 hands; 4 feet, 6 inches to 10 feet for larger horses; 3 feet 6 inches to 7 feet for ponies.
 - 2) Box Stall: 6 feet by 6 feet for ponies; 10 feet by 10 feet for small horses; 12 feet by 12 feet for large horses.
- G. Light and Ventilation: Each stall should have at least one window which can be opened for draft-free ventilation. Cellar-type window, set above eye level in front of tie stall is good, two or more is required in a box stall. Cover with wire to prevent breakage and injury to horse. Some commercially designed stables are windowless, but these have special provisions for light and ventilation.
- H. Floor:
 - 1) Ideal: 6" - 10" tamped clay over 2" or more of good drainage material such as sand or gravel.
 - 2) Excellent: Astro-Turf over proper base material.
 - 3) Good: 2" - 3" wooden planked, space laid over good drainage base.
- I. Bedding:
 - 1) Best: Sawdust and/or shavings to depth of 3" - 6".
 - 2) Good: Peat moss, shredded cane, straw (dust free).
- J. Hay Storage:
 - 1) Best: Separate building for dust and fire control.
 - 2) Good: In loft or feed room.
- K. Water: Freely available, fresh, in regularly scrubbed impervious containers.
- L. Grain Storage: Separate room or closet, in horse – proof and rodent – resistant container or bin. Keep dry. Check bottom regularly for signs of mold or spoilage.
- M. Corral/Paddock: Should be kept dry, clean and fenced and water must be available. A paddock or corral shall be provided of sufficient size predicated upon the number of animals. If the animal remains outside for periods longer than one hour, shade and fresh water must be present. Horses should be allowed to roam on land and all be provided with adequate fences.
- N. Fencing: At least 5' high, material safe and clearly visible to horse or pony and shall be installed so as to eliminate danger to the animal. Grazing animals shall be under controlled conditions by owner or keeper.

- 1) Ideal: Wooden planks or rails.
- 2) Good: Smooth woven wire, smooth wire or charged wire (also smooth).
- O. Insect Control: When necessary, insecticides should be applied to the interior walls, ceilings and stall area. Insecticides should be applied to the exterior of the stable building to control fly population.
- P. Maintenance: All animals must be maintained in good health and in clean conditions. Stalls shall be kept clean and bedded.
- Q. Food Storage: Storage of food shall be independent of stall area and at least 6" above the floor of the shed. Grain shall be stored in covered metal containers. Toxic, pesticides, etc., shall not be stored near or around feed animals.
- R. Manure Storage:
 - 1) A covered and ventilated, watertight storage facility constructed of any durable material approved by the Board of Health shall be provided for the storage of manure from inside the stable and grounds.
 - 2) The waste storage area must be treated and maintained to eliminated odor or insect problems.
 - 3) Manure must be stored not less than 150' from high water mark of any source of drinking water supply, or any tributary thereof, or not less than 150' from high water mark of any open water course flowing directly or indirectly to any source of water supply.
- S. VIOLATIONS OF THESE RULES AND REGULATIONS WILL BE SUBJECT TO A FINE OF NOT LESS THAN \$50.00 AND LOSS OF STABLE PERMIT.

Kennels

- 1. **Dogs:** All packs or collection of more than three dogs, three months old or over, owned or kept by a person on a single premises, irrespective of the purpose for which they are maintained.
- 2. **Cats:** All packs or collection of more than three cats, three months or older, on a single premises.
- 3. **Kennel:**
 - A. Dog and cat kennels shall be located not closer than 50' from any building used for human habitation, any church, school, public building, park, playground, hospital, nursing home or rest home, except upon written permission of the Board of Health.
 - B. Dog and cat kennels shall be located not less than 50' from adjoining property lines or the line of any street, court or passageway.
 - C. Not less than 150' from the high water mark of any source of drinking water supply or any tributary thereof or less than 150' from the high water mark of any open waters flowing directly or ultimately into any source of water supply.
 - D. Construction: Single and multiple housing units for dogs and cats should be of durable construction to protect structures from termites, dampness, deterioration and rodents.

- E. Floors: The floor surface in all kennels shall be smooth and non – absorbent and so constructed as to be easily cleaned. Floors and outside runs of each cubicle shall be cleaned at least once daily.
 - F. Feed Rooms: The owner shall provide for tightly covered and vermin – proof storage of dried animal feed and shall provide refrigeration facilities for keeping of so called animal food, edible meat, fish and poultry. All equipment used at feeding stations shall be of easily cleaned material.
 - G. Water Supply: An adequate quantity of potable water shall be provided for feeding of animals and cleaning purposes.
 - H. Drainage: The kennel shall be provided with a sanitary drainage system connected to the public sewerage system. Provided that if, because of distance or ground conditions, connection to the public sewerage system is not practical, any other means of subsurface disposal of sewage approved by the Board of Health and in compliance with DEP Title 5, Sanitary Sewerage, may be installed.
4. **Storage of Animal Waste:** A covered, ventilated, water pit, or other approved storage container constructed of any durable material for the storage of animal wastes shall be provided and so located as to promote their regular removal from the premises.
5. **Premises:** To be maintained in a clean and sanitary condition. Feces must be removed on a regular basis.

Piggeries

1. **Definition:** As defined as owning three (3) or more pigs, are not allowed in the Town of Wareham. However pigs may be kept as household pets.
2. **Location:**
- A. Buildings, pens or other such enclosures or runs used to house or confine pigs shall be located in accordance with section 143 of Chapter III of the M.G.L.:
 - 1) Not less than 200 feet from any dwelling used for human habitation, any church, school, public building, park, playground, hospital, nursing home or rest home, except upon written permission of the Board of Health.
 - 2) Not less than 150 feet from adjoining property lot lines or the line of any street, highway, courts, or passageway.
 - 3) Not less than 250 feet from the high water mark of any source of drinking water supply or any tributary thereof, or less than 250 feet from the high water mark of any open waters flowing directly or ultimately into any source of water supply.
3. **Construction of Buildings:** All buildings used to house pigs shall be properly constructed and shall be designed, arranged, located, and maintained so as to minimize odors and to prevent the harborage, shelter, or feeding of rats and mice. Such buildings shall be so designed and constructed so that accumulation of offensive material can be readily removed.

4. Feeding Troughs:

- A. For indoor pens, watertight material of cement or metal shall be provided for feeding purposes and shall be kept in good repair. Such material shall be thoroughly cleaned each day.
- B. For outdoor pens or runs, pigs shall be fed from platforms built of heavy, watertight material on skids no less than one foot above the ground so arranged that the platform can be readily moved. If the feeding platform is elevated, the space between the ground and the platform shall be kept clean. No food, manure shall be allowed to accumulate on the platform or on the ground.

5. Ventilation: All buildings used to house pigs shall be properly ventilated.

6. Restriction to Premises: All pigs shall be kept either in an approved building, pen, enclosure, or run of adequate size. Pigs shall not be permitted to roam unrestricted outside the building, pen, enclosure, or run. Any animal shall be deemed to be “at-large” when it is off the premises and unaccompanied by the owner.

7. Maintenance of Facilities:

- A. All buildings used for the housing of pigs shall be kept in a clean and satisfactory condition. Pens shall be cleaned at least twice weekly.
- B. Refuse, including uneaten food and manure shall be immediately removed from the premises or shall be so kept that such material will not create odors noticeable off the premises, will not permit fly breeding, and will not have access to the pigs. Buildings should be sealed.

8. Water Supply: An adequate supply of water shall be provided.

Pooper- Scooper Regulation

1. Regulation:

- A. The purpose of this regulation is to protect the foreshores, wetlands and waters of the Town of Wareham by restricting dogs from the public beaches of the Town of Wareham. No dog shall be allowed upon the salt water or fresh water beaches or marshes of the Town of Wareham either loose or on a leash.
- B. The dog owner shall keep control over the dog at all times that the dog is off the owner's property. The dog owner shall be required to have in his possession a means to pick up all feces deposited by the dog on any public property. All feces collected shall be deposited in the owner's rubbish containers.
- C. Any party in control of a dog in the absence of the owner, while the dog is off the owner's property, shall be required to observe all rules and regulations pertaining to the owner as contained in this regulation.
- D. Seeing-eye dogs are the only exemption, when accompanied by the owner.

2. Penalties: Any person who violates this regulation shall be fined upon conviction.

3. Description of “Pooper – Scooper” acceptable to the Board of Health:

- A. A device manufactured for the express purpose of picking up dog feces.
- B. Any sanitary means of collection, including, but not limited to, plastic container, rubbish bags and garbage bags.

Poultry

1. Definition: Poultry means domesticated bird, including chickens, turkeys, ducks, geese (other than wild), guinea fowl, pheasants and pigeons of any age and sex.

2. Location:

- A. All coops, hutches and other such buildings should be located 100’ from wetlands and waterways. A buffer zone of a minimum of 1 foot in height is required consisting of wood timbers or grass seeded earth that will keep storm water runoff from running directly into the wetlands.
- B. Not less than 150’ from the high water mark of any source of drinking water or any tributary thereof or less than 150’ from the high water mark of any open waters flowing directly or ultimately into any source of water supply.

3. Construction of Buildings: All coops, hutches or other such buildings used for poultry shall be of durable construction. Such structures shall be designed so as to prevent the harborage of rats or mice.

4. Ventilation: All coops, hutches or other such buildings used to house poultry shall be properly ventilated and kept dry.

5. Maintenance of Facilities:

- A. Nests shall be movable and surrounding areas must be maintained in clean, sanitary condition, weekly. Perches and areas beneath perches shall be cleaned weekly. Surrounding areas are to be maintained in a clean and sanitary condition, weekly or as needed.
- B. Feed stations shall be maintained in proper sanitary condition. Interior of coops, hutches, structures, etc. shall be whitewashed (or equivalent treatment) at least once a year.

6. Receptacles for Garbage or Refuse Food: Garbage or waste refuse food shall not be fed to animals unless such food is placed in proper receptacles, which shall be kept clean. Such food may also be placed upon cement or other waterproof surface provided such surface is kept clean.

7. Manure Storage:

- A. A covered, ventilated, water tight storage facility constructed of any durable material for the storage of poultry waste shall be provided and so located as to promote regular removal of manure from the premises.

- B. Poultry waste must be stored 50' from any dwelling and 50' from property line, wetland line, public/private waterway. The waste storage area must be treated and maintained to eliminate odor and insect problems.
 - C. Storage of poultry waste shall not be less than 150' from the high water mark of any source of drinking water supply or any tributary thereof, or less than 150' from high water mark of any open watercourse flowing directly or ultimately to any source of water supply.
- 8. Restriction to Premises:** All poultry shall be kept in an approved building, run or enclosure of adequate size. Poultry shall not be permitted to roam unrestricted. Any animal shall be deemed to be "at-large" when it is off the premises.

Rooster

1. Restrictions and Enforcement:

- A. The rooster shall be kept between the hours of 7:00 p.m. and 7:00 a.m. within a fully enclosed structure designed to minimize noise.
- B. The person shall not allow or permit such rooster at anytime to annoy another person's reasonable right to peace or privacy by making loud or continuous noise where such noise is plainly audible between the hours of 7:00 a.m. and 7:00 p.m. at a distance of 150 feet from the premises where the rooster is kept, or between the hours of 7:00 p.m. and 7:00 a.m. at a distance of 50 feet from the premises where the rooster is kept, or when such noise is continuous in excess of 10 minutes.

2. Penalties for violation of regulation: If, upon written complaint, or observation by authorities, the Animal Control Officer or a Board of Health Agent determines a violation a warning or citation may be issued based on the following schedule:

- 1st Offense: Warning
- 2nd Offense within any 12-month period: \$25 fine
- 3rd Offense within any 12-month period: \$50 find

This regulation was adopted on May 6, 2015.

Waterfowl

1. Purpose:

- A. The protection of the foreshores, marshes, wetlands, public swimming beaches, shell fishing, water quality and recreational uses from pollution created by unnatural harborage of waterfowl as the result of feeding or baiting by the public.
- B. No persons shall feed or bait any waterfowl, including but not restricted to ducks, geese, swans, pigeons and seagulls at any place within the Town of Wareham. "Feeding and Baiting" means the placing, exposing, depositing, distributing or scattering directly or indirectly, of shelled, shucked or unshucked corn, wheat, or other grains, seeds, breads, salt or nutritive substance in any manner or form so as

- to constitute for such birds a lure, attraction or enticement to, on or over any such areas where said feed items have been placed, exposed, deposited, distributed, or scattered. (Chapter 131 M.G.L.)
- C. Nothing in this regulation shall be construed to limit the feeding of domestic waterfowl, as defined by the Division of Marine Fisheries and Wildlife (DMF&W) by a farmer (Section 1A, Chapter 128).
 - D. The Director of the DMF&W or his/her agent or designee, may authorize the emergency feeding of waterfowl and birds, when in his/her opinion, such action is necessary in order to alleviate undue losses and suffering of such birds due to unusual weather conditions and other circumstances. The Director must notify the Board of Selectman.
 - E. Any person who violates any provision of this regulation shall be fined \$25.00 for each offense thereof. This regulation may be enforced by police officers, shellfish constables, agents of the Board of Health, and environmental police officers.