

TOWN OF LANESBOROUGH BOARD OF HEALTH

ANIMAL PERMITTING REGULATION 2016-02a

SECTION 1 – Purpose: To protect the public health of the Town of Lanesborough, including related to the exposure and spread of animal diseases, including, but not limited to, the avian flu, the Board of Health hereby adopts this Regulation to ensure proper permitting of certain domesticated fowl animals including, but not limited to rabbits, turkeys, geese, ducks, hens, chickens, roosters over 4 months of age, pigeons, and other fowl animals within certain areas of the Town. The intent of this Regulation is to enhance the quality of life of the Town’s citizens and to protect the general public from damage, injury or illness that may be caused by unregulated animals, fowl and rabbits.

SECTION 2 – Animal Regulation: To protect the public health and safety of Town residents, the raising or keeping of fowl animals, as specified in Section 1, for private purposes by the owner(s) of property located in Residential and Residential Agricultural Zoning Districts, shall be permitted and regulated under the provisions of this Regulation and other applicable local and state laws and regulations. The provisions of this Regulation shall not apply to farm properties or agricultural operations recognized under MGL Ch. 40A, Section 3.

1. All individuals who keep certain animals, as set forth in Section 1 of this Regulation, shall engage in standard management practices to minimize the risk to public health and safety. Information or assistance on these practices is available from the Massachusetts Department of Agricultural Resources.
2. Property owners in the Town’s Residential and Residential-Agricultural Zoning Districts may keep fowl animals, as defined in this Regulation, provided that the following permitting requirements, as well as the conditions of any other legal requirements, including Board of Health regulations, are met:
 - a. Individuals who seek to keep more than one (1) animal, as defined and specified in Section 1 of this Regulation, outside any habitable dwelling unit, must apply to the Board of Health for an animal permit. Habitable dwelling units, as set forth in this Section shall exclude attics, basements and garages.
 - b. Any failure to conform to these permitting requirements shall be abated without delay by the person or persons responsible, who shall also remove any of said animals or birds entirely if it is decided by the Board of Health that there is no other satisfactory way to abate the issue.

Section 3- Enforcement and Penalties:

1. The Animal Control Officer and/or the Board of Health or their designees shall enforce the provisions of this Regulation.

2. Violation of this Regulation and its permitting requirements may be subject to a penalty of up to \$50.00 for each offense, with each day the violation continues constituting a separate offense.
3. Violation of this Regulation or any other applicable federal, state or local requirement may also subject individuals to suspension or revocation of the animal permit following notice of a violation and a hearing before the Board of Health.

Section 4- Compliance Deadline: Property owners shall have thirty (30) days from the effective date of this Regulation to comply with its requirements with no fee applied. After thirty (30) days a one-time fee of \$25 will be applied.

Section 5- Severability: The provisions of this Regulation shall be deemed severable, so that the invalidity of any one provision of the Regulation shall not affect the validity of another provision, and if any part of this bylaw shall be adjudged unconstitutional, inconsistent with state law, or otherwise invalid, such judgment shall not affect any other valid part of this Regulation.

APPROVED BY BOH	
BY	DATE 5/19/16
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