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TOWN OF BOURNE BOARD OF HEALTH

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At its regular meeting on February 22, 2012 the Bourne Board of Health, Pursuant to Massachusetts General Laws, Chapter 111, Section 31 and Section 155, voted to amend its existing Horse and Ponies (Stable) regulations dated November 18, 2009, previously amended February 24, 2010 with the following:

STABLE REGULATIONS – HORSES AND PONIES

THIS REGULATION ALSO PERTAINS TO BOVINE ANIMALS (COWS), MULES, DONKEYS, SHEEP, LLAMAS, ALPACAS, AND GOATS.

A stable shall be defined as any building or structure where any single or multiple- horses, cows, mules, donkeys, sheep, llamas, alpaca, or goats- are kept or maintained for any purpose and shall include the term barn.

A pasture shall be defined as any enclosure serving purposes of grazing and/or exercising and shall include terms such as paddock, turnout, fencing

The yearly license fee for a Stable (Barn) shall be \$30.00 and shall be due July 1st of each year.

Application for the license shall include a to-scale plan of the house lot with stable, pasture and all setback distances clearly designated on said plan, including setback to lot lines and abutter's dwellings.

Any applicant for a stable (barn) license must request a hearing before the Board of Health, with proper notification of abutters, whether or not all setbacks of this regulation can be met.

Licenses will be limited to 2 horses (ponies, etc.) per lot, unless written approval is obtained from the Bourne Board of Health after a public hearing with notice to all direct abutters.

Only a person who complies with the requirements of the following regulations shall be entitled to receive and retain such a permit.

No individual, partnership, company, or corporation shall maintain a stable within the Town of Bourne without first obtaining a permit from the Board of Health.

1) LOCATION

Stables (Barns) shall be located not less than 100 feet from any building or structure used for human habitation not occupied by the owner or operator of the stable and 200 feet from any church or meeting house erected or used for the public worship of God, school, public building, playground, hospital, nursing home, or rest home except upon written permission of the Board of Health. In the case of any church or meetinghouse erected and used for the public worship of God, written consent of the religious society or parish worshipping therein is also required.

Stables (Barns) shall be located on the lot in conformance with current Town of Bourne Zoning Regulations (see Section 2500), primary setbacks as follows:

	R-80	GD& SDD	R-40	B-1 & V-B	B2	B3
Min. front yard	40	40	30	0	30	30 yard (ft)
Min. rear and side (ft)	25	25	15	12	12	12

Pastures shall not be located less than 15 feet from any adjoining property lot lines or the line of any street, court, or passageway.

Stables and pastures shall not be located less than 100 feet from any potable drinking well.

2) CONSTRUCTION

Stables shall be of durable construction to protect the building from the deterioration or damage by rodents, termites and dampness and shall have stalls of adequate size so that a horse will have room to comfortably lie down or stand up.

For horses, a stall must be provided for every horse, or a variance must be obtained for a lean-to, etc.

Stall floors shall be constructed to provide proper drainage of liquid waste and designed to permit easy cleaning. The stable floor for a horse must meet the M.S.P.C.A. requirements: It must be wood (any heavy planking two (2) inches or more in thickness) spaced to allow for drainage, and have sand underneath the flooring. Rubber stall mats will be allowed over properly flooring.

Stables shall be properly ventilated.

3) MANURE

All applicants must submit a manure management plan to the Board of Health upon application for a license. Said plan will be reviewed by the Board and will be accepted, modified, or denied. In the case of a denial of said plan, no license will be issued.

All manure and other horse waste must be maintained in such a way that it does not become a nuisance to abutters or the general public.

No person owning, leasing, or controlling a stable shall allow drainage or liquid effluent containing urine and/or fecal matter to be discharged in runoff, or to flow along the surface of the ground, onto neighboring property, streets, wetland, or watercourse.

All stalls and floors shall be kept clean and dry, and free from accumulated manure, have ample bedding and be treated as necessary to control odor and prevent the attraction and breeding of flies.

Owners of stables must clean the manure from the stable and pasture area at least once per day.

Manure piles must be at least 150 feet from any private potable wells, 400 feet from any public well, and 150 feet from any coastal bank or wetland resource.

Manure is to be stored in a covered container or bagged until it is removed from the property. No more than 10 (ten) fifty pound bags of manure, or equivalent, shall be allowed to remain on the premises during any week. Areas of storage will be maintained with lime, or other eco-friendly odor control, if necessary.

Some composting on site may be allowed with permission of the Board of Health based on lot size and usage of material.

4) LIVING AND SLEEPING QUARTERS

The stables shall not be used for human habitation.

5) WATER SUPPLY

There should be adequate potable water source on the property for proper watering of animals and fire protection. A drinking trough shall be provided in the pasture/corral area for the animals, unless there is access to the stall where water will be available.

6) CORRALS AND PADDOCKS

Corrals and paddock areas should be gently sloping to minimize standing pools of surface water. Horses that are allowed to roam on land shall be provided with adequate fences so constructed as to safely confine the animal and prevent the animal from eating shrubbery from abutter's land. No horse shall be allowed to be pastured unless said pasture, paddock, corral is at least 50 feet from a residential dwelling (other than that occupied by the stable owner/operator).

7) FEED STORAGE

Grain feed shall be stored in covered metal or metal lined bins or containers.

8) SCREENING

Openings to outer air shall be effectively screened against the entrance of flies and other flying insects wherever feasible.

9) LIGHTING AND VENTILATION

Each stable shall be provided with adequate light (2 windows for sunlight) and ventilation.

10) RESTRICTION TO PREMISES

Horses, bovine animals (cows), mules, donkeys, sheep, and goats shall be kept either in an approved stable or in an enclosure of adequate size. Said animals shall not be permitted to be at large outside the premises. Any animal shall be deemed to be at large when it is off the premises and unaccompanied by the owner, agent, or employee of the owner or caretaker.

11) VARIANCES

Upon written request and notification of direct abutters, the Board of Health may grant variances these regulations if the Board of Health finds that strict adherence to said regulations causes undue hardship and that the granting of the variance(s) would not be detrimental to public health. All variances shall be granted in writing and shall be subject to conditions, as the Board of Health deems necessary.

12) SEVERABILITY

In the event any portion of this regulation shall be deemed invalid, such portion shall be severed from the rest of the regulation, which shall remain in effect.

13) PENALTIES

Any person, agent or firm who is found in violation of these regulations may be punished by a fine pursuant to the Town of Bourne Fine regulation adopted March 26, 2008. Each day's failure to correct said violation shall constitute a separate offense.

These regulations shall become effective on the date of publication.

For the Board of Health,

Kathleen Peterson, Co-Chairman

Galon Barlow, Jr. , Co-Chairman

Donald Uitti

Stanley Andrews