



TOWN OF WESTBOROUGH MASSACHUSETTS

BOARD OF HEALTH

FORBES MUNICIPAL BUILDING
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STABLE REGULATIONS

IN ACCORDANCE WITH THE AUTHORITY GRANTED BY THE GENERAL LAWS, CH. III, SEC. 155-157 AND SEC. 31, THE BOARD OF HEALTH OF THE TOWN OF WESTBOROUGH HEREBY ESTABLISHES THE FOLLOWING REGULATIONS FOR STABLES. THE PURPOSE OF THESE REGULATIONS IS TO PRESERVE THE PUBLIC HEALTH BY REQUIRING PROPER DRAINAGE, VENTILATION, SIZE AND CHARACTER OF STALLS, BEDDING, -NUMBER OF ANIMALS, AND STORAGE AND HANDLING OF MANURE IN ANY STABLE.

1. DEFINITIONS:

- a. AGRICULTURE AND FARMING shall include farming in all its branches and the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural, floricultural or horticultural commodities, the growing and harvesting of forest products upon forest land, the raising of livestock including horses, the keeping and raising of poultry, swine, cattle and other domesticated animals used for food purposes, bees, fur bearing animals, and any practices including any forestry or lumbering operations, performed by a farmer, who is hereby defined as one engaged in agriculture or farming as herein defined, or on a farm as an incident to or in conjunction with such farming operations, including preparations for market, delivery to storage or to market, or to carriers for transportation to market.
- b. FARMING shall mean any person who is principally and substantially engaged in the occupation of farming or the raising of horses, livestock, or poultry, excluding domestic pets, on land owned or controlled by him or her for an ultimate commercial purpose.
- c. PRIVATE STABLE shall include any stable that does not have horses "FOR HIRE" to the general public.
- d. PUBLIC STABLE shall include any stable where horses are kept for hire to the general public and shall include but not be limited to, guided and unguided riding or carriage driving.
- e. TURN OUT shall mean a fenced-in area in which a horse is let free for the purpose of self exercise.
- f. LOT shall mean a parcel of land owned by a person that is deeded and

recorded to show ownership, dimension, lot lines and may include existing buildings.

2. EXISTING STABLES:

All existing Stable Permit holders or existing unlicensed horse owners must apply for new permits. They will be allowed ninety (90) days to apply. They will be automatically GRANDFATHERED into the old regulations with one exception, that the SANITARY CONTROL section must be complied with.

3. APPLICABILITY OF PERMIT

a. Owners of land that qualify as "AGRICULTURE" and "FARMING" under M.G.L. Ch. 128, Sec. 1A and whose owner/operator is a FARMER are exempt from these regulations. They must pay for and receive a Town of Westborough Stable Permit for animal accountability and must comply with all applicable State Regulations.

b. All other landowners and owner/operators must apply for a private or Public permit as applicable by definition and meet the Stable Regulations in order to be issued a Town of Westborough Stable Permit.

4. APPLICATION FOR PRIVATE STABLE PERMIT

a. Stable Permit fees shall be as required by WestboroughTown Meeting.

b. Application Process:

-An applicant shall submit a request for a Stable Permit on Board of Health forms with the required initial application fee.

-Required with the filing is the following information: Location of property, square footage (acreage), house and barn location, distance to property lines, location of wetlands (if any), wells, septic systems, drains, fencing plan, corral dimensions, and a manure storage and disposal plan.

c. Wetland and Potable Water Protection

(1) The barn, turn-out area, and manure storage area cannot directly drain into any wetland or water supply.

(2) Within one hundred (100) feet of a wetland, a filing is required with the Westborough Conservation Commission for a Determination of Applicability before the Westborough Board of Health can issue a Stable Permit.

d. Sanitary Controls

(1) All horses shall be maintained in a clean and healthy condition.

(2) Insects-(flies) shall be controlled through the use of fly tapes, sprays,

and fogs in the barn and around the manure storage area.

(3) Vermin (mice and rats) shall be controlled through the use of bait boxes and traps.

(4) Manure

(a) Stalls shall be cleaned daily.

(b) Manure Storage: Manure will not be allowed to drain or run-off into any wetlands or water resource area. Manure shall be stored for disposal in one of the following ways:

-Containers such as household trash barrels.

-A three-sided enclosure with an impervious bottom.

-A commercial trash dumpster.

In NO case shall more than one (1) cord (4'x 4'x 8') of manure and bedding be accumulated on the property, nor shall manure or the storage thereof cause a nuisance to abutters or the general 'public.

(5) Grain must be stored in rodent-proof containers.

e. Housing: All horses must have access to shelter/which at a minimum will be an open shed facing south, with weather-tight roof and sides with adequate head room (15 *x 15') per horse.

f. Requirements:

(1) Minimum lot size: One (1) acre or 43/560 sq. ft.

(2) Turn-outs: Minimum of 2,000 sq. ft. per horse, water and shade available.

(3) Fencing: All fencing shall be a minimum of four (4) feet in height and may consist of wood, woven wire, electric charged fencing with electric signs every 50 feet, or stone walls. Barbed wire fencing WILL NOT be allowed.

5. APPLICATION FOR PUBLIC STABLE PERMIT

a. Stable Permit fees shall be as required by WestboroughTown Meeting.

b. Application Process:

An applicant shall submit a request for a Stable Permit on Board of Health forms with the required initial application fee.

Required with the filing is the following information:

Location of property, square footage (acreage), house and barn location, distance to property lines, location of wetlands (if any), wells, septic systems, drains, fencing plan, corral dimensions and a manure storage and disposal plan.

c. Requirements:

(1) Minimum Lot Size: Five (5) acres which must be one contiguous lot.

(2) Off-Road Trails or Paths: A plan must be submitted showing the location of off road/highway trails to be used for riding/driving of horses. Roads/Highways may only be used for trail crossings or short connectors to rejoin trail access. Land used for trails must be either owned, rented, or leased and proper legal documentation submitted as proof.

(3) Turn-outs: Minimum of 2,000 sq. ft. per horse, water and shade available.

(4) Fencing: All fencing shall be a minimum of four (4) feet in height and may consist of wood, woven wire, electric charged fencing with electric signs every 50 ft., or stone walls. Barbed wire fencing will NOT be allowed.

d. Wetland and Potable Water Protection

(1) The barn, turn-out area and manure storage area cannot directly drain into any wetland or water supply.

(2) Within one hundred (100) feet of a wetland, a filing is required with the Westborough Conservation Commission for a Determination of Applicability before the Westborough Board of Health can issue a Stable Permit.

e. Sanitary Controls

(1) Toilet Facilities:

Public Stables shall be provided with two or more toilet "rooms, including handwashing facilities, for male and female employees and customers, the number of each to be determined by the Board of Health.

(2) Barn Sanitation:

(a) All horses shall be maintained in a clean and healthy condition.

(b) Insects (flies) shall be controlled through the use of fly tapes, sprays, and fogs in the barn and around the manure storage area.

(c) Vermin (mice and rats) shall be controlled through the use of bait boxes and traps.

(d) Manure: Stalls shall be cleaned daily.

Manure storage: Manure will not be allowed to drain or run off into any wetland or water resource area. Manure shall be stored in the following ways for disposal:

-Containers such as household trash barrels.

-A three-sided enclosure with an impervious bottom.

-A commercial trash dumpster.

In NO case shall more than one (1) cord (4'x 4'x 8') of manure and bedding be accumulated on the property, nor shall manure or the storage thereof cause a nuisance to abutters or the general public.

e) Grain must be stored in rodent proof containers.

(3) Housing: All horses must have access to shelter which at a minimum will be an open shed facing south, with weather-tight roof and sides with adequate head room (15'x 15') per horse.

6. DEAD ANIMALS:

Dead animals shall be buried, incinerated, or disposed of in such a way as to prevent the attraction of flies and to prevent odors. If an animal must be destroyed, this shall be done in a humane manner. If buried, the animal shall be put in a hole, the bottom of which shall be a minimum of four feet above high water and covered with at least six feet of compacted dirt. The burial site shall be at least fifteen (15) feet from any lot line and one hundred (100) feet from any wetland. The Board of Health must be notified of the death of the animal and of the proposed burial site in advance. If unable to contact the Board of Health in a timely manner on weekends and holidays, then the animal may be buried in accordance with the restrictions outlined above and the Board of Health notified on the first working day following.

7. RECOMMENDATIONS FOR PRIVATE AND PUBLIC STABLES:

(a) Stalls:	Tie stalls	Ponies:	3' x 6' x 7'
		Small Horse:	4' x 8' x 8'
		Large Horse:	4'6" x 10'8"
	Box stalls	Ponies:	6' x 6'
		Small Horse:	10' x 10'
		Large Horse:	12' x 12'

(b) Ventilation: Each stall shall have at least one window, wire-covered and set above eye level.

(c) Bedding: Sawdust, shavings, peat moss or straw.

(d) Fire extinguishers: Readily available with easy access.

(e) Smoke Detectors: Placed in the barn or shelter.

(f) Immunizations and Health Care: All horses should have a certificate of Negative Coggins and receive shots for Eastern/Western Encephalitis and Tetanus, Flu/Rhino, Potomac Fever and Rabies.

8. VARIANCE CLAUSE:

Variances may be granted by the Westborough Board of Health with respect to any particular case when in its opinion, the applicant has proved that the same degree of compliance can be achieved without strict application of the particular provision.

9. SEVERABILITY CLAUSE:

If any 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 full force and effect, and to this end the provisions of these rules and regulations are hereby declared severable.

10. PENALTIES:

Following notice of violation of any section of the preceding regulations, and a reasonable time for the correction, the owner or agent responsible for such violation may be subject to a fine of Five (5) dollars per day for each day that said violation exists and to revocation of his license or permit (Ch. III, Sec. 157, M.G.L.).

WESTBOROUGH BOARD OF HEALTH

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Date: October 15, 1992