

**CARVER BOARD OF HEALTH**  
**RULES AND REGULATIONS FOR KEEPING ANIMALS**

**1.0. PURPOSE**

The Carver Board of Health is responsible for the protection of the public health and welfare in the Town of Carver. In an effort to protect the health and safety of the public and all animals in the town, the following regulations are promulgated.

**2.0. AUTHORITY**

These Rules and Regulations for Keeping Animals are adopted in accordance with the provisions of Massachusetts General Laws Chapter 111, Sections 31 and 155.

**3.0. APPLICABILITY**

These regulations shall apply to all persons keeping animals in the Town of Carver and shall supersede all previous regulations pertaining to the keeping of animals. Persons holding permits issued prior to the effective date shall be held only to the regulations in force at the time of issuance when, in the opinion of the Board, the strict enforcement of the new Rules and Regulations for Keeping Animals would cause hardship. Each case will be evaluated separately. Where these Rules and Regulations address the health and safety of animals, it shall apply to all animals.

**4.0. DEFINITIONS**

ANIMAL SHELTERS AND CORRALS shall include all stables, coops, pens, cages, and any other means of protecting an animal from the environment or for containing an animal.

BOARD shall mean the Carver Board of Health.

PERSON shall mean a person, persons, association, partnership, trust, company, corporation, or other entity.

WETLANDS shall include, but not be limited to, all areas defined as wetlands under the Carver Wetlands By-Law and the Wetlands Protection Act; all streams, surface water bodies, and swamps; and any area considered by the Board to be periodically or continuously wet or under water due to rain or surface water runoff.

UPLAND shall mean all land not considered wetlands under these regulations.

## 5.0. PERMIT

5.1. No person shall keep within the limits of the Town of Carver, in any building or on any premises, any cows, livestock, horses, goats, roosters, gobblers, turkeys, ducks, chickens, fowl, pigeons, rabbits, or any other farm or commercial animal without a permit from the Board of Health. No permit is required however, when an animal is being kept in the home as a pet, i.e., rabbit, guinea pig, ferret, homing pigeon (except where dog permits are required by the Town Clerk). Said permit shall cost an annual fee set by the Board (attached, but subject to change)

5.2. All permits to keep animals listed in Regulation 5.1. shall expire annually on December 31 and may be revoked for cause.

5.3. Said permit shall not be transferable.

5.4. An application for a permit shall be submitted on a form supplied by the Board of Health showing the property to be used; the location of any proposed stable, corral, pen or other animal housing; the location of all streams, drains, wetlands, known or proposed water supply, and buildings located within 100 feet of the property. If a variance is needed the Board may require a certified plot plan from the applicant.

5.5. If an applicant has been sufficiently warned, a permit may be revoked at any time with cause. The Board or its agent may revoke said permit without a public hearing if, in their opinion, conditions exist which may endanger the health, safety, or welfare of the animals and/or the general public. The permit holder shall have the right to appeal the revocation at a public hearing if no hearing has yet been held.

5.6. Any property used to house animals under the Rules and Regulations for Keeping Animals shall be subject to inspection by the Board or its agent when public health and safety of either the animals, homeowners or the abutters is deemed to be threatened.

5.7. The Board may impose conditions it deems appropriate in order to protect the public, the environment and animal health when issuing a permit.

5.8. The Agricultural Commission will serve as an advocate, mediator, and/or negotiator with respect to farming complaints, issues, and regulatory processes.

## 6.0. ANIMAL SHELTERS AND CORRALS

6.1. All horses, livestock, and other animals shall be provided suitable shelter and corral space. All shelters and corrals shall be cleaned regularly to discourage flies and be free from items dangerous to animal(s). Corrals and paddocks shall be gently sloped to aid in drainage and minimize the standing pools of surface water

6.2. No person shall erect or use as a stable any building unless such use is licensed by the Board and complies with all applicable building codes and Zoning By-laws.

6.3. All shelters shall be of sound construction, well lighted, and have adequate ventilation, either mechanical or natural.

6.4. All windows containing glass shall be protected for animal safety

6.5. All electrical apparatus, including light bulbs, shall be provided with a suitable safety guard to help protect animals from injury.

6.6. All buildings used to shelter horses or other livestock shall have at least one square foot of window for each 500 cubic feet of air space, or stall fronts.

6.7. All shelters where animals are housed and humans can enter must be equipped with a fire extinguisher or some type of fire prevention.

6.8. All buildings used to shelter horses or livestock shall have a ceiling at least seven feet high but not less than one foot above the head of any animal sheltered there. Every roof shall be water and weather tight.

6.9. All shelters and corrals shall have sufficient drainage to prevent the collection of water inside said confines. No shelter or corral shall be located in an area subject to flooding.

6.10. All shelters and corrals shall be supplied with an adequate water source.

6.11. Floors shall consist of any material acceptable to the Board. This shall include wood, concrete, or a thin layer of sand and clay over a gravel base, or rubber matting.

6.12. Any person wishing to remodel or construct a building or any portion thereof which is currently or will be used as a stable or other animal shelter shall submit plans to do so in duplicate to the Board of Health and the Building Department for approval prior to any construction to determine adequacy and/or whether a permit for construction is required.

6.13. All animals shall be sheltered within 30 days of issuance of a permit to keep said animals.

6.14. Animals shall be provided appropriate bedding, pine shavings, hay, straw or peat moss.

6.15. No shelter or corral shall be closer than the distances shown to the components listed in the following table. The distances shown are minimum distances and shall be increased where required by conditions particular to a location or by zoning requirements.

	<u>Shelter</u>	<u>Corral</u>
Wetland	65'	65'
Surface/Subsurface Drains	50'	50'
Abutting Dwellings	100'	100'
Side and Rear Lot Lines	10'	10'
Public or Private Roadway	25'	25'
Public Water Supply	200'	200'
Private Water Supply	100'	50'

6.15. Corrals shall be of reasonable size for the number of animals present.

6.16. Any corral or area in which livestock is left unattended shall be adequately enclosed to assure proper restraint of the animal. All corrals shall have shade for the animals during inclement weather, whether by tree or shelter.

## 7.0 ANIMAL VACCINATIONS

(Not yet defined)

## 8.0. MANURE MANAGEMENT

8.1. Manure shall be removed from stalls and shelters as needed. Manure shall not be allowed to accumulate in corrals over a length of time, stalls to be cleaned daily.

8.2. Manure shall be stored in such a manner as to control flies and odors.

8.3. In fly-breeding seasons, controlling flies on or around manure can be done by any number of methods. Methods such as organic fly control, fly predators or chemicals permitted by the United States Department of Agriculture are good options.

8.4. No manure pile or pit shall be closer than the distances shown to the components listed in the following table. The distances shown are minimum distances and shall be increased where required by conditions peculiar to the location or by zoning requirements.

	<u>Manure</u>
Wetland	65'
Surface/Subsurface Drains	50'
Abutting Dwellings	150'
Side and Rear Lot Lines	25'
Public or Private Roadway	25'
Public Water Supply	200'
Private Water Supply	150'

8.5. Manure storage and composting can be difficult. To aid in the storage and composting of manure we have included with this regulation a helpful guideline to follow. The Guide is entitled, "Good Neighbor Guide for Horse-Keeping: Manure Management." These are the allowable methods of manure management allowed.

#### 9.0. FEED MANAGEMENT

9.1. All feed, must be properly stored and shall be adequately protected so as to keep the food source free of contaminants, rodents, and the elements.

9.2 All persons shall take any steps necessary to prevent rodent infestation on or near the property. This shall include, but not be limited to, storing food in rodent proof containers as well as hiring a professional pest control company when needed.

#### 10.0. VARIANCES

10.1. Variance to any of these regulations may be requested in writing to the Board. When such a request is received, a hearing shall be scheduled and held in accordance with the requirements of Regulation 11.0.

10.2. Variances shall be granted only under the following conditions:

A. Strict enforcement of the Rules and Regulations for Keeping Animals will constitute manifest injustice, **AND**

B. The granting of the variance shall not in any way impair the public, the environment or animal health.

10.3. The Board may impose any conditions it deems appropriate to protect the public, the environment and animal health.

#### 11.0. HEARING

11.1. When requesting a permit for the first time or requesting a variance to the Rules and Regulations for Keeping Animals, a Public Hearing may be required. A Public Hearing will be required where the Board of Health feels a possible threat to the neighborhood or abutters is possible. A fee set by the Board may be charged for the Public Hearing.

11.2. The applicant shall notify all abutters of the property on which the animals will be kept by Certified Mail, Return Receipt Requested, of the hearing at least ten days prior to the hearing date. The applicant shall also publish a legal advertisement provided by the Board, in a paper published and distributed locally, at least five days prior to the hearing. Said notifications and advertisements shall be at the expense of the applicant.

11.3. Any person to whom any order pertaining to the Rules and Regulations for Keeping Animals is served shall have the opportunity to request a hearing before the Board. The request shall be in writing and received in the Health Department Office within seven days of the date it is served.

#### 12.0. PENALTIES

12.1. Any person found in violation of these regulations shall be fined, upon conviction, not more than \$50.00 per violation. Each day of noncompliance shall constitute a separate and new offense.

12.2. The Board of Health and/or ACO shall reserve the right to charge the permittee, owner, or keeper of an animal for any costs incurred related to the detaining and capture of animals that have escaped their enclosure.


12.3. Any person who is issued a permit or license by the Board and is found to be in violation of these or any other applicable regulation may be subject to the immediate suspension or revocation of said permit or license.

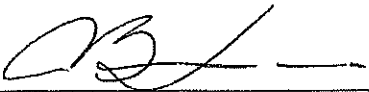
12.4. The Rules and Regulations for Keeping Animals may be enforced by the use of Non-Criminal Citations as put forth in Massachusetts General Laws Chapter 40, § 21D


#### 13.0. SEVERABILITY

13.1. If any provision of the Rules and Regulations for Keeping Animals is declared invalid or not enforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.

ADOPTED BY THE CARVER BOARD OF HEALTH ON 1/29/08

  
Arthur F. Borden, P.L.S., Chairman

  
David B. Lawrence, Member

  
Steven D. Crawford, Member

Effective 3/1/08

**ANIMAL PERMITS:**

\$1.00 pigs, cows, sheep and goats up until ten (10) and all others there will be no charge - \$1.00 will be charged for each 1/2 dozen chickens, geese, turkeys and rabbits up until 10 1/2 dozen and then all others will be at no charge. In no case will anyone be charged more than \$10.00 for a permit. **HORSES** - \$10.00 per horse up to \$50.00 - no permit more than \$50.00.

Stable Permit:

\$25.00 original  
\$10.00 renewal



New Hampshire  
Department of Agriculture

**GOOD NEIGHBOR GUIDE FOR HORSE-KEEPING: MANURE MANAGEMENT**

Carefully-collected animal manure was once the main source of nutrients for crop production. Today, horse owners with one or more animals often don't have enough land for crop production to use the manure their animals produce. Some municipalities require daily or weekly manure removal. Consequently, this valuable by-product is often considered waste or, at best, a disposal nuisance. In New Hampshire, all livestock manure could be used advantageously if it was accessible in a useful form.

Estimates indicate that there may be as many as 30,000 horses in New Hampshire. Ten thousand properties house horses, with millions of dollars being spent on feed and services. Yet all too often potentially valuable manure from these animals ends up in the municipal land-fill and is wasted because it's not available to gardeners, landscapers, and other plant growers in a usable condition. A solution is composting manure or composting manure with other materials such as leaves and lawn clippings that yield organic matter in a form similar to potting soil. Like recycling, composting removes a portion of the municipal waste stream resulting in extended landfill life-expectancy.

**Manure Accumulation and Composition**

Each year, a 1 000-pound horse can generate eight to ten tons of manure, accumulating at the

rate of as much as two cubic feet per day, including bedding. Composition of this material varies depending on the type and quantity of bedding used, age and function of the animal, kind of feed, and how the manure is stored. Typically, a ton of fresh horse manure with bedding would have a nutrient composition of about 13 pounds of Nitrogen [as N], 5 pounds of phosphorous [ $P_2O_5$ ], and 13 pounds of Potassium [as  $K_2O$ ]. Approximately one-half of these nutrients may be

available to a crop during a growing season with a spring application. Part of the remaining nutrients will provide fertilizer value in subsequent years. Manure also contains other valuable trace elements. In addition to providing valuable nutrients, manure improves soil texture and soil moisture-holding characteristics, thereby reducing the need for irrigation.

Decomposition of manure starts as soon as it's voided. Nitrogen is easily lost from horse manure. Decomposition rates depend on handling and storage methods. Horse manure should be kept compact and moist to prevent excessive losses.

Manure left in a loose heap loses nitrogen rapidly to the atmosphere in the form of ammonia. Nutrients in urine are readily available for crop use. Bedding used in horse stalls absorbs and holds this valuable component well.





## Manure Storage

A single horse will produce 3/4-1 cubic foot of manure every day. Bedding can easily bring total volume of material that must be managed each day to 2 cubic feet per animal. Provision must be made for proper handling and storage along with a plan for effective utilization.

While daily removal of manure from the premises might be ideal, it's usually impractical and, contrary to popular belief, it doesn't eliminate fly breeding problems. Adult fly populations within barns can be controlled through use of traps, residual insect sprays, and baiting. Stalls and paddocks should be kept clean and dry. Refuse, scattered hay, and wasted grain about the barn or in the yard can be fly breeding spots if wet. Keeping breeding sites around stalls and feeders at moisture levels below 60% should significantly reduce fly populations. If manure can't be removed weekly in warm weather, a screened storage area or covering the pile with a plastic tarp could be helpful.

Make adequate storage for manure available. 144 square feet of confined storage space will conveniently hold manure from one horse for a year. Accumulation might be 3-5 feet in depth. Large storages should be well-constructed and accessible for use of power equipment. Locate storage sites so loading and unloading is convenient. Create a positive image by storing and handling manure as neatly and inoffensively as possible.

Grade the surrounding area to keep surface water from running over or through the manure and into streams or other surface waters. Covering the manure pile will help prevent liquid from leaching into groundwater. Also keep roof and yard water from draining into the storage area.

Design criteria regulations for new well construction and placement adopted by the New Hampshire Water Well Board on July 2, 1985, "require or recommend that animals should not be penned or tied within a 75-foot protective radius around a water well, particularly if uphill." Owners and managers of horse farms should consult UNH Cooperative Extension and the USDA Natural Resources Conservation Service about manure storage design and management. They have educators, specialists, and engineers who can provide detailed information on planning a workable, environmentally-sound manure handling system.

## Exercise Runs and Paddocks

Exercise areas or paddocks are assumed to be areas of bare soil, or sand/soil mix with little grass or other vegetation in them. They are simply a fenced, open area for horses to use for outdoor exercise. Horses may be turned out into these exercise areas as often and for as long as the horse owner desires. Management of pastures is much different from management of exercise areas.

An exercise area should be a minimum of 200 square feet per adult horse. For maximum use of a given area, several long, narrow runs are best. Minimum width is 14 feet. Length can be any distance that fits the landowner's plans. Long, narrow runs should be laid out across a slope to minimize soil erosion. Generally, try to avoid slopes greater than 3%. Square areas require less fencing. However, horses like to run along a fence line. Therefore, several long narrow runs will allow separated horses to exercise together without interfering with one another.

Plain board fencing is the most economical. A 2 or 3 board design should be satisfactory. Boards should be attached on the post side next to the horses. Care should be taken to eliminate protruding nail heads or other sources of injury to the horses.

Locate exercise runs or paddocks on fairly level, relatively stone-free, well-drained soils. Footing is improved by spreading sand at least two inches deep on existing soils. Sand should be added as previous applications become mixed with the soil. Sand will also reduce dust, mud, and soil erosion.

Keep runs and paddocks clean by removing accumulated manure frequently.

Clean surface water run-off from areas outside of animal exercise areas should be diverted away from these areas and conducted safely to the nearest watercourse or wetland area. Grass filter strips around the edges of an exercise area will greatly reduce any pollutants that might leave the site.

Consult your county Conservation District people for advice and designs to minimize erosion and potential for pollution from exercise runs and paddocks.

## Pasture Management

Pasture, while not essential, can provide an inexpensive supply of high quality feed with all the protein, vitamins, and minerals needed by most horses. However, pastures vary greatly in productivity. Pastures that are primarily grass offer excellent early and late season grazing, but are often severely depleted during mid to late summer. Pastures that contain clover may continue to allow reasonable good midsummer grazing. Pasture production is related to: (1) the number of animals per unit area, (2) vegetative makeup of the sod, and (3) the natural fertility of the soil.

Too often, horse pastures are grazed throughout the growing season without rotation. Ideally, with small pastures, the horse should be rotated to a fresh area about every two weeks to break up the cycle of internal parasites. One to two acres of well-managed pasture can support one mature horse during the grazing season with rotation. When the animal is rotated as frequently as every two weeks, the acreage needed could be closer to one acre. Four to five acres of unimproved native grass pasture will support only one mature horse for the entire grazing season.

It's difficult to establish and maintain a dense vigorous sod that will withstand the constant trampling of horses. This is particularly true early in the season when the soil may be soft, or with early grazing following a reseeding. Sod that will stand traffic the best is also sod that's less palatable and less attractive to the horse.

A fertilizer program should encourage legumes, such as shallow-rooted white clovers, as well as grasses. The use of a complete fertilizer such as 10-10-10 will supply nitrogen and potassium to the grasses, and phosphorous will encourage the growth of legumes. The amount of fertilizer needed should be based on soil tests. Soil tests are available through UNH Cooperative Extension offices. Fresh manure should not be spread on pastures. Manure that has not been composted will introduce the threat of additional parasites to grazing horses.

## Using Manure As Removed From The Stable

Turning of manure under the soil immediately following spreading will reduce losses of valuable nutrients, especially nitrogen. Manure spread or piled and left exposed on sloping

surfaces is subject to erosion, possibly contributing to nearby water pollution downslope. Never spread manure on frozen surfaces or water-saturated ground. In addition, manure should not be stored in piles on land subject to flooding, or spread and left on the surface until flood season has passed.

Where there is nearby crop land, consider tilling in fresh manure when possible. This saves nutrients and alleviates storage problems. Fresh manure is best used for crops with long growing seasons, and better suited to clay and loam soils. Light or sandy soils benefit the most from applications of aged or composted manure. Portions of the nutrients in manure aren't as readily available for plant food as commercial fertilizer nutrients. However, slow release provides a continuing supply of nutrients with less potential runoff.

Crops grown and harvested annually on one acre of land can easily utilize the nutrients available in the yearly accumulation of manure from a single horse. Large amounts of bedding usually present in manure are low in nitrogen content and high in carbon. A high carbon/low nitrogen ratio ties up nitrogen temporarily until the bedding decomposes. A supplemental source of nitrogen could be needed to offset this nutrient imbalance.

## Composting Manure

Often, horse owners and managers don't have access to enough crop or garden land for good use of valuable manure. Therefore, some form of composting should be considered as a means of enhancing the material for off-site use. Recycling this useful material ensures that naturally available nutrients are sensibly returned to replace those previously removed by vegetation.

Manure that has been composted generally has a better sale value. However, to compost manure, you must pile it properly, keep it moist, and turn it over several times for 1-2 months. Various techniques can improve and hasten the composting process. Processing methods can be kept simple or be quite sophisticated, depending on the desired condition of the end product and the time needed to complete the composting process.

Decomposition under composting conditions makes the fertilizing value of bedding more available to plants. It changes organic matter into substances that more readily form humus in the

soil. Availability of phosphorous is increased and many weed seeds that might be present are destroyed.

Good manure management is essential for horses to be accepted as friendly residential neighbors in increasingly crowded suburban settings. Forty-four percent of horses nationwide are said to be housed on private residential property. A solution to animal manure problems, anticipated or real, is a balanced ecological approach.

### Marketing Manure

Properly composted horse manure could be marketed to home gardeners, nurseries, and crop farmers. Nurseries are the most likely customers for large volumes of less-than completely composted manure, and tend to prefer shavings as a source of bedding. Finely chopped paper could become an acceptable source of bedding and compost in the near future. Crop farmers within a reasonable distance might use trash-free manure on a yearly basis with suitable arrangement. Home gardeners are a good outlet for smaller quantities of composted or aged manure.

Many gardeners would welcome bulk delivery of uniformly composted manure at prices competitive with other sources of organic matter that may have little fertilizing value. A New York state race track is successfully merchandizing composted horse manure in bags.

Most importantly to nature, every effort should be made to recycle horse manure safely and efficiently as a fertilizer to grow useful crops. Most of the nitrogen, phosphorous, and potassium contained in animal feeds is returned in the manure.

*"Make no mistake, horse manure management is becoming a hot issue in some heavily suburbanized New Hampshire towns, and satisfactory resolution will require cooperation between owners, regulatory officials, and abutting owners."*

*- Stephen H. Taylor, Commissioner NH  
Department of Agriculture New Hampshire  
Weekly Market Bulletin February 7, 1990*

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This project is supported in part by the New Hampshire Department of Agriculture. The material is based on work supported by USDA Extension Service under special project number 89-EWQ1-1-9186.

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Formatted for CD-ROM 09/95