

**HUDSON BOARD OF HEALTH
TOWN HALL
78 MAIN STREET
HUDSON, MASSACHUSETTS 01749**

Stables in the Town of Hudson—Regulations (Regulation No. 95-5)

The Board of Health, Town of Hudson, Massachusetts, acting under the authority of Chapter 111, Section 31 and 155 of the General Laws and any amendments or additions thereto, and by any other power thereto enabling, have in the interest of and for the preservation of the public health, duly made and adopted the following regulations for the establishment, maintenance and operation of stables on parcels of land consisting of 60,000 square feet or less within the Town of Hudson. Notwithstanding the size limitation of the parcel of land requiring a stable license, it is understood that the general sanitary guidelines of this regulation shall apply to all stables in the Town.

These revised regulations shall be effective upon and after publication of notice in a local newspaper, pursuant to a unanimous vote of the Board of Health at a public meeting on December 12, 1995, following a public hearing held on November 7, 1995, and November 21, 1995, and so remain until modified or amended by the Board.

1. Definitions

Board:	The Hudson Board of Health
Paddock:	An enclosure or fenced space where horses are turned out; a small field used for pasture; a place for the display of horses.
Stable:	A shelter for a horse or horses. For the purpose of this regulation horse shall mean any equine animal.
Town:	The Town of Hudson, Massachusetts

2. Stable Building

No person shall erect, occupy, or use for a stable any building or portion thereof or any other facility in the Town of Hudson on a parcel of land consisting of 60,000 sq. ft. or less, until a license authorizing such use is granted by the Board of Health. Commercial horse stables must be licensed by the Massachusetts Department of Agriculture.

3. **Horses**

No person shall maintain a horse (or horses) anywhere in the Town of Hudson except in a stable for which a license has been issued by the Board of Health and for which the location meets the requirements of the Protective Zoning By-Laws of the Town of Hudson. This stable license requirement will not apply to stables on parcels of land greater than 60,000 sq. ft.

4. **Separation Requirement**

No stable or manure storage area shall be constructed closer than 150 feet (one-hundred fifty feet) to any dwelling not occupied by the owner or operator of the stable; closer than 100 feet (one-hundred feet) to any well used as a source of drinking water; closer than 25 feet (twenty-five feet) to a water line, sewage system, standing water or water course.

5. **Standards**

All stables for which a license is issued by the Board of Health shall meet the following minimum standards:

- a. All stables must be operated in such a way that they do not become a nuisance to abutters or the public.
- b. All stalls and floors shall be kept clean and dry, free from accumulated manure, have ample bedding, and be treated to control odor and prevent the attraction and breeding of flies.
- c. Manure shall not be allowed to accumulate for more than two weeks between May 1 and November 1, and in no case shall the total quantity exceed two cords without a variance from the Board of Health.
- d. Manure shall be handled and treated as necessary to prevent to prevent the escape of odors and the attraction and breeding of flies.
- e. All stables must be adequately ventilated and drained.
- f. Grain must be kept in rodent-proof containers.
- g. No more animals than the number specified in the license shall be kept in the stable.
- h. All animals maintained under the terms of this license must be kept under control at all times.

- i. No person shall remove or carry any manure through any public way except in a covered container or vehicle and in such a manner that no manure shall be dropped on the street.

6. Application for License

Application for a Stable License shall be in writing and upon a form provided by the Board of Health. Each application shall include the following:

- a. A plot plan drawn roughly to scale showing the lot or parcel where the building to be used as a stable is to be located. Said plot plan shall show the following:
 - 1. The general contour and drainage of the plot.
 - 2. The location of all sewage disposal systems, wells, brooks, swamps, and structures located on the plot or within 200 feet of the proposed stable.
 - 3. The areas to be used for storage and handling of manure.
 - 4. The location of roads, easements (such as water, drainage, and conservation easements) and lot lines.
- b. The number and type of animals to be kept in the proposed stable.
- c. A plan for storing and removing manure.
- d. A floor plan of the proposed stable showing dimensions and location of stalls and facilities for storage and handling feed materials.

7. License Renewal

Licenses for stables in the Town of Hudson will expire two (2) years from the date of issue or upon transfer of the property. Application for renewal must be made on a form provided for the purpose by the Board of Health. Said renewal application shall show any changes in the items requested in Section 6.

8. Variances

The Board of Health may grant a variance from any provision of these rules and regulations, if determined to be in the public interest to do so and so long as the grant of such variance does not result in substantial detriment to the public good nor derogate from the intent and purpose of the Massachusetts General Laws Chapter 111, Section 155 and these rules and regulations.

9. **Transfer of Property**

Variances under Section 8 will continue upon the transfer of property provided that the bases for the granting are unchanged and provided that the license is unexpired and an application is made to renew the license within six (6) months of the property transfer.

10. **Revocation**

Any stable license may be revoked at any time when the Board of Health finds such revocation necessary to protect the public health. If a holder of a Stable License violated any of the rules and regulations set forth herein, then Stable License shall be subject to immediate revocation. Any such revocation may occur upon due notice to Licensee and after any said Licensee has been granted an opportunity to be heard.

11. **Penalties**

Punishment for violation of any of these rules and regulations shall be prescribed in Chapter 111, Section 157 of the General Laws of the Commonwealth of Massachusetts, and any amendments or additions there to any other applicable statute.

12. **Severability**

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

13. **Fees**

A license fee will be set by the Board of Health subject to approval of Town Meeting pursuant to Massachusetts General Laws Chapter 111, Section 155.

14. **Appeals**

Any person to whom an order has been served pursuant to this Regulation may request a hearing before the Board of Health by filing a written petition within 7 days. Upon receipt of such petition, the Board of Health shall schedule a hearing within 30 days. Anyone aggrieved by the decision of the Board of Health may seek relief therefrom within 30 days in a court of competent jurisdiction.

15. **Effective Date**

This revised regulation shall take effect immediately upon publication of notice in a local newspaper and deposit in the Town Clerk's Office, Town Hall, Main Street, Hudson, in conformance with a unanimous vote of the Board on December 12, 1995.

By order of the Board of Health
Daniel Ehntholt, Chairman
Dale Nadeau, Clerk
James Saart, Vice-Chairman

Published: Middlesex News—October 23, 1995 & October 30, 1995
Adopted: December 12, 1995