

Municipal Animal Holding Space Considerations

Every municipality must have a place that is safe and secure to hold dogs during their required stray hold. Under the MGL Chapter 140 Sec. 151 and 151A municipalities are given options for their holding spaces. Any holding space selected must be a place suitable for the detention and care of dogs, and it must be kept in a sanitary condition.

For their holding space, a municipality can utilize one of their own spaces to create a municipal shelter, or they can contract with a local licensed kennel to hold their animals. MDAR is responsible for inspecting any place that holds municipal animals as needed. Therefore, it is required that municipalities report their holding facilities to MDAR. Holding facilities should be listed on the annual ACO designation form. Municipal-owned holding facilities do not need a kennel license.

Examples of appropriate licensed kennels would be: licensed shelter/rescue facilities, veterinary offices, or private boarding kennels. Municipalities must keep in mind that animals kept at contracted holding facilities are still in municipal custody, and the ACO is responsible for all returns, transfers, or decisions made for that animal beyond basic care. After the stray hold is completed the ACO can decide to adopt out the animal, transfer the animal to a licensed shelter/rescue or euthanize.

If a municipality decides to contract with a licensed kennel to hold municipal animals the following questions will need to be considered:

1. Does the facility hold a current municipal kennel license?
2. Has the facility passed a kennel inspection in the last 12 months, to ensure that the animals are kept in a sanitary and humane manner?
3. Does the facility have a separate area that can be utilized to house municipal animals away from boarding or owned animals?
4. Does the facility have adequate staff to care for municipal animals?
5. Does the facility have any restrictions as to what animals they can house? For example, can they handle aggressive animals, or potentially infectious animals in a safe manner and humane way?
6. Will the ACO have adequate access to the facility, if strays are acquired during off hours or weekends?
7. Are the kennel fees at a reasonable level that will not place unnecessary barriers on owners trying to reclaim their pets?

Examples of appropriate licensed kennels would be: licensed shelter/rescue facilities, veterinary offices, or private boarding kennels. If the municipality chooses to use a contract with a licensed kennel, the place must be safe and clean and municipal stray animals should be housed in a separate area and walked in a separate area, since their vaccination and health history is unknown.

If a municipality is considering creating their own holding space in a municipal building, the following questions will need to be considered:

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8. Is the premises able to be easily accessed by the ACO so that they can secure and care for the animals within?
9. Would the animals be housed humanely?
10. Can the animals stand, lie down, and turn around freely in their enclosures?
11. Is the space able to be maintained at an ambient temperature between 55 and 85 degrees Fahrenheit?
12. Will the animals have access to clean, fresh food and water?
13. Will the animals have adequate space to exercise?
14. Are personnel available so the space can be maintained adequately?
15. Is there access to hot and cold water for thorough cleaning and disinfecting?
16. Are the surfaces constructed to be disinfected and kept sanitary?
17. Does the space have adequate lighting?
18. Is there a place where intake, veterinary, and other records can be kept accessible?

If a municipality is building out a new space or renovating an existing space to hold municipal animals, they could also look at the shelter/rescue requirements at 330 CMR 30.00 for additional guidance. Keep in mind a municipal shelter is not required to meet these requirements in full as long as they are able to house municipal animals in a sanitary and humane manner.

(1) General Facilities. For buildings and premises that are utilized as a Facility, each Licensee shall:

- (a) Maintain all buildings and premises in good repair and in a Sanitary Condition;
- (b) Maintain and use equipment in a manner which ensures the proper and legal storage and disposal of wastes or disease-contaminated material including, but not limited to, medical supplies, syringes, needles, and sharps containers;
- (c) Take and maintain effective control measures to prevent the spread of disease, noxious odors, and the infestation of Animals and premises with external parasites, insects, or vermin;
- (d) Provide and maintain artificial illumination in all areas and rooms in which Animals are kept. The artificial illumination shall be well distributed and adequate to provide efficient inspection and cleaning of Facilities, enclosures, cages and Animals. Each cage and enclosure in use shall be situated in a manner that protects the Animals contained from excessive or stressful illumination;
- (e) To the extent feasible, natural illumination should be utilized during daylight hours in all areas and rooms where Animals are kept. Artificial illumination must be available during non-daylight hours; and
- (f) Make a freezer or other means of mechanical or non-mechanical refrigeration available at the Facility for the temporary storage of deceased Animals, unless an arrangement has been made with another entity capable of appropriately storing and disposing of deceased Animals. Any such arrangement with another entity shall be made in writing and kept as part of the Organization's operations plan.

(2) Quarantine Room. In addition to complying with 330 CMR 30.05 (1), each Facility shall:

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(a) Provide a room to be used exclusively for the purposes of Quarantining sick or diseased Animals; and

(b) Ensure that the room, in addition to complying with the requirements of 330 CMR 30.05(1) and (5), is:

1. Physically separated from rooms used to maintain other Animals;
2. Completely enclosed by walls that extend from floor to ceiling;
3. Constructed with floors and walls made of Impervious surfaces;
4. Equipped with an exhaust fan that serves to efficiently remove air from the room to an area outside the building and adequately ventilates to allow fresh air to circulate into the room;
5. Equipped with a sink having hot and cold running water used exclusively for the cleaning and maintenance of the Quarantine Room, all equipment and utensils used therein, and Animals housed within the room;
6. Not used to house or maintain other Animals, for storage, as an employee restroom, as a public access area, or any other such purpose;
7. Thoroughly Cleaned and Disinfected immediately after Animals have been removed from the room and prior to the placement of other Animals into the room; and
8. Maintained in such a manner that all equipment and utensils used within the room are thoroughly Cleaned and Disinfected before being taken out of the room.

(4) Protective Clothing for Quarantine room. Each Licensee shall ensure that each person who enters a Quarantine or an Isolation Room or otherwise feeds, waters, cleans, treats, or handles Quarantined or Isolated Animals showing signs of infectious or contagious disease or disease-contaminated equipment or material shall wear clean protective outerwear, gloves and shoe covers, or take equivalent biosecurity measures while so doing, and shall remove and adequately clean or dispose of the protective outerwear, gloves, and shoe covers, or equivalent, and thoroughly wash their hands with soap and water immediately upon leaving such room.

(5) Animal Facilities. Each Animal housing area within a Facility shall be:

(a) Cleaned at least daily and more often as necessary to maintain Sanitary Conditions.

Enclosures shall be disinfected periodically and as soon as practicable once emptied.

Group housing rooms shall be emptied and disinfected periodically. Cages and enclosures shall be unoccupied during disinfecting. The use of chemical agents to disinfect shall be in accordance with the chemical manufacturer's label, with particular attention paid to temperatures and contact time;

(b) Of adequate size and space to permit:

1. The Animal(s) therein to stand, sit, lie down, turn around and make other normal postural adjustments without obstruction, interference or impediment by the presence of food and water bowls, equipment, beds, toys, or other Animals; and
2. The bird(s) within to fly, hop or otherwise move about and individually spread their wings. Enough perch space must be available for all birds within

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the enclosure to simultaneously perch in a normal position without obstruction;

(c) Equipped with heating, cooling and ventilation to maintain adequate ambient conditions appropriate for the species and necessary to minimize odor, ammonia levels, disease transmission risk, and unnecessary stress on the Animals due to uncomfortable temperatures or environmental conditions. Ambient temperature shall be between 55°F and 85°F, unless other temperatures have been determined to be appropriate based on an information source approved by the Department. To ensure that these conditions are met, the Licensee shall install and maintain a working thermometer in all areas in which Animals are maintained and cared for;

(d) Constructed and maintained in accordance with the following provisions:

1. Each wall shall be Impervious to moisture from floor to ceiling;
2. Each floor shall be Impervious to moisture and no carpeted flooring may be permitted in Animal areas;
3. Any material used shall be resistant to rusting, and be maintained free of rust;
4. Animal cages or enclosures equipped with a wire floor shall be prohibited for Dogs and Cats. For other species, if the cage or enclosure has a wire floor, then the wire used shall be of adequate gauge to prevent sagging or injury to an Animal's feet, and the mesh shall be small enough to prevent an Animal's feet from falling through the bottom;
5. Primary Housing Enclosures for livestock and poultry may be exempt from 330 CMR 30.05(5)(c) and (d);

(e) Designed to permit the unimpeded access of the Animal(s) to clean, fresh food and water;

(f) Adequate to provide shelter from the sun and inclement weather when Animals are outside; and

(g) Maintained at a comfortable noise level. Under normal circumstances the noise level shall not be at or above 100 dB for a sustained period of 15 minutes or longer.