

MEDFORD BOARD OF HEALTH

Regulation 15: Keeping of Miniature Pot-Bellied Pigs as Domestic Pets

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I. Purpose.

These regulations of the Board of Health have been enacted for the purpose of the protection of the citizens of the City of Medford (City) and also the protection of the public health and the environment. Miniature pot-bellied pigs are increasing in popularity as domesticated pets and the keeping of not more than one such animal on any single family residentially zoned property is permitted in the City. Such animals are still livestock notwithstanding size, the keeping of such animal needs to be closely regulated and controlled to ensure that such animal does not become a nuisance or danger to the general public and the neighborhood in which it is kept. The Medford Board of Health finds that the keeping of pot-bellied pigs so as not to create a nuisance can be reasonably accommodated by licensing and other restrictions.

II. Authority

Under the authority of M.G.L. Chapter 111 Section 31, M.G.L. Chapter 129 Section 19, Inspections of domestic animals, and M.G.L. Chapter 129 Section 20, Certificate of healthy condition, the Medford Board of Health has promulgated this regulation in an effort to protect the health and safety of the Medford community

III. Definitions

Pot-Bellied Pig shall mean a domesticated miniature Vietnamese, Chinese or Asian pot-bellied or pot-belly pig not exceeding one hundred twenty-five pounds in weight and eighteen inches in height measured at the shoulder.

IV. Administration and enforcement.

The provisions of this regulation shall be administered and enforced by the City's duly appointed and acting Animal Control Officer/Inspector of Animals.

V. Permit, Compliance with Regulations

It is unlawful for any person to own or have custody, control or possession of any pot-bellied pig within the City unless such pig is permitted pursuant to the provisions of this regulation within ten calendar days upon said pig's entry to the City and unless said pig complies with the regulations as set forth in this Regulation.

VI. Permitting Procedures

Any person owning or having custody or control of a pot-bellied pig within the City of Medford may obtain a permit for such pig from the Animal Control Officer in accordance with the following procedures:

A. Application Requirements

1. A letter from the Building Commissioner stating that the pet is kept in approved Zoning within the City of Medford.
2. File with the Animal Control Director an application on a form provided by the Medford Board of Health which shall contain the following information:
 - a. The name and address of the applicant and the address of the property upon which the pot-bellied pig is to be kept;
 - b. The name, age and weight of the pot-bellied pig including any identifying marks or tattoos;
 - c. Such other information as the Animal Control Officer deems appropriate.
2. Permit Fee. The Medford Board of Health requires a \$ 50.00 non-refundable and non-transferable permit application fee. No cash will be accepted. A check or money order payable to the City of Medford is required. A permit shall not be transferable from one place or person to another. A permit shall be valid from April 1st and shall automatically expire on March 31st of the following year unless revoked sooner by the Medford Board of Health.
3. Veterinary Certification. The application shall be accompanied by a statement signed by a licensed veterinarian certifying that the pot-bellied pig has been spayed/neutered, that the pig is in good health and has received all necessary vaccinations, and the height and weight of the pig. Such certification shall be no older than thirty calendar days when submitted to the Animal Control Officer.

VII. Requirements for Keeping of Pot-Bellied Pig

The owner or person having custody, control or possession of a pot-bellied pig within the City shall comply with the following regulations:

- A. Spayed/Neutered. The pot-bellied pig shall be spayed or neutered.
- B. Weight. The pot-bellied pig shall not weigh more than one hundred twenty-five pounds.
- C. Height. The pot-bellied pig shall not exceed eighteen inches in height as measured from the shoulder of said animal.
- D. De-tusked. Any male pot-bellied pig two years of age or older must have his tusks removed.
- E. Confinement on Premises. Each pot-bellied pig shall be provided with a fenced yard designed to assure that the animal is confined and managed in a safe, clean and odor-free manner when out-of-doors. Notwithstanding any other provision of this code, the pot-bellied pig may be kept as a pet in the residence on the lot upon which said pig resides.
- F. Leash Requirements. Each pot-bellied pig while on a street, sidewalk or other public place shall be restrained by a harness and leash or similar restraint not longer than six feet in length held by a competent person. Locations of animals in public places are restricted by the same limits as dogs.
- G. All pot-bellied pigs must be kept in a clean and sanitary environment that will prevent disease, odor, and insect and rodent breeding

VIII. Grounds for Denial of Permit, Revocation of Permit, or Refusal to Renew Permit

(A) The Board may deny a permit, revoke a permit or refuse to renew a permit on the following grounds, each of which, in and of itself, shall constitute full and adequate grounds for revocation or refusal to renew:

- (1) any actions that would indicate that the health or safety of the public would be at risk;
- (2) fraud, deceit or misrepresentation in obtaining a permit, or its renewal;
- (3) other just and sufficient cause which the Board may determine would render the permit holder causing health or safety violations.
- (4) The permit for a pot-bellied pig issued pursuant to this regulation may be revoked by the Animal Control Officer upon the finding that the provisions of the regulations have been violated and/or not corrected within ten calendar days (or notice as deemed at the time of the notice) of issuance by the Animal Control Officer. Upon failing to correct the violation within the required time, the Animal Control Officer shall issue a written notice of the revocation of the license and the pot-bellied pig must be removed from the City within ten calendar days thereafter or such longer period as may be set forth in the notice of revocation

(B) The Medford Board of Health shall notify a permit holder in writing of any violation of the Board's regulations, for which the Board intends to deny, revoke, or refuse to renew a permit. The permit holder shall have seven (7) days after receipt of such written notice in which to comply with the Board's regulations. The Board may deny, revoke or refuse to renew a permit, if the permit holder fails to comply after said seven (7) days.

(C) Applicants denied a permit may re-apply at any time after denial.

The Medford Board of Health may summarily suspend a permit pending a final hearing on the merits on the question of revocation if, based on the evidence before it, the Board determines that the permit holder is an immediate and serious threat to the public health, safety or welfare. The suspension of a permit shall take effect immediately upon written notice of such suspension by the Board.

X. Procedure for Hearings

Denial, Revocation, or Refusal to Renew a Permit

(1) If the Board determines that a permit shall be denied, revoked, or not renewed pursuant to the Board's regulations, the Board shall initiate a hearing in accordance with 801 CMR 1.00 et seq.

(2) Following the hearing, the chairperson of the Medford Board of Health shall issue a written decision that contains a summary of the testimony and evidence considered and the reasons for the decision.

XII. Penalties

These regulations may be enforced by the Medford Board of Health through Ticket Enforcement under M.G.L. c. 40 s 21D:

Fine Schedule:

First offense, fifty dollars (\$50.00);

Second offense, one hundred dollars (\$100.00)

Third and subsequent offenses, two hundred dollars (\$200.00)

Each day that the offense continues shall constitute a separate offense.

XII. Severability

If any provision contained in the regulations is deemed invalid for any reason, it shall be severed and shall not affect the validity of the remaining provisions.

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