

City of Biddeford
Planning Board
October 16, 2019 6:00 PM City Hall
Council Chambers,

1. Discussion/Approval

- 1.1. A zoning amendment to allow Dog Daycare facilities in the B-2 Zone and the I-1 Zone south of Precourt Street/Landry Street as a Conditional Use subject to Performance Standards including, but not limited to, a maximum of 75 dogs at any facility at any time and requiring buffers from existing residential uses and residential zones.

[Dog Day Care for PH 101619.docx](#)

[Hand Drawn Map.pdf](#)

FOR PUBLIC HEARING OCTOBER 16, 2019:

Part II (Code of Ordinances), Chapter 10 (Animals), Article II (Dogs), Section 10-26 (Definitions), be amended as follows:

DOG DAY CARE

See Part III (Land Development Regulations), Article II (Definitions).

Part II (Code of Ordinances), Chapter 10 (Animals), Article II (Dogs), Section 10-27 (Number of dogs limited), be amended as follows:

- (a) It shall be unlawful for any person to keep or harbor within the City more than three dogs over four months old on January 1 in or about the premises, house, barn or other building, or in or about all buildings on any one premises occupied by any one family, and the keeping or harboring of dogs as aforesaid is hereby declared to be a nuisance.
- (b) The payment of a license or licenses on dogs shall not be construed to allow the keeping of more than three dogs, as aforesaid, on any one premises.
- (c) The limitation provided for in this section shall not apply to licensed kennels or approved dog day cares.

Part III (Land Development Regulations), Article II (Definitions), be amended as follows:

DOG DAY CARE – A building or use maintained for the purpose of providing socialization, training, or housing, in the absence of the owner, on a temporary basis, for dogs owned by the general public for which a fee is charged.

Part III (Land Development Regulations), Article V (Establishment of Zones), Table A (Table of Land Uses):

	Article VI Section ^a	B-2	I-1
Commercial uses:			
<u>Dog daycare facilities* 28</u>	<u>79</u>	<u>C</u>	<u>C</u>

NOTES:

28. Dog Daycare facilities in the B-2 and I-1 Zones are only permitted south of Precourt Street and south of Landry Street, east of the intersection of Landry Street and Precourt Street.

Part III (Land Development Regulations), Article VI (Performance Standards), Section 49 (Off-street parking and loading), Table 6-49B (Parking Space Requirements):

Dog Day Cares 1 space for each employee and 1 space for every 5 animals served

Part III (Land Development Regulations), Article VI (Performance Standards):

79. Dog Daycares:

A. All Dog Day Care facilities, regardless of the zoning district in which they are located, shall comply with the following criteria:

1. The hours of operation shall be limited daily from 6 a.m. to 9 p.m.
2. Dog Day Care facilities shall be subject to Part II (Code of Ordinances), Chapter 10 (Animals).
3. A maximum of 75 dogs are permitted on the premises at any one time.
4. A two-hundred (200) foot setback shall be maintained between any dog day care outdoor facilities and any residential zone or use.
5. Dog Daycare facilities designed and operated to also accommodate overnight stays must also meet all applicable requirements for a Kennel including, but not limited to, the applicable zoning in which they are located and Article VI (Performance Standards) of the Zoning Ordinance.

B. Indoor facilities.

1. All buildings shall be of adequate construction, maintained in good repair, and secured in order to protect animals from injury or escape and restrict the entry of animals including rodents and or other vermin as well as unauthorized individuals from the outside.
2. All animal housing facilities shall be structurally sound and constructed of nontoxic materials.
3. Interior floors shall be smooth, easily sanitized, and impervious to water. Floors shall have proper drainage so that the animal can remain dry while housed in the primary enclosure.
4. Facilities shall be maintained in good repair and kept clean and sanitary at all times so as to protect animals from disease and injury.

5. Indoor housing shall be provided with sufficient heating and cooling consistent with the needs of the animals kept at the facility.
6. Sufficient lighting shall be provided by either natural or artificial means or a combination of both sufficient for the inspection of the animals, routine cleaning and sanitation, and proper animal care.
7. Sufficient ventilation shall be provided to ensure the health and comfort of the animals kept at the facility.
8. Conveniently available toilet and hand-washing facilities with hot and cold running water shall be provided at the facility.
9. All common animal play areas shall be of sufficient size to allow for maintenance of sanitary conditions and to avoid overcrowding of animals.
10. Primary enclosures shall be of sufficient size to allow each animal kept at the facility to turn around and exercise normal postural movements.
11. Primary enclosures shall be constructed of material that are water resistant and can be readily cleaned and sanitized.
12. Wire flooring is prohibited.
13. Provisions shall be made for the removal and proper disposal of animal food, waste, bedding, dead animals and debris. These provisions shall minimize vermin infestations, odors and disease hazards.

C. Outdoor facilities.

1. Provide sight-obscuring fencing or buffering for all on-site outdoor recreation areas. The fence or buffer shall provide full containment for the dogs and shall be secured to the ground to prevent escape and shall be a minimum of 6 feet in height to prevent dogs from jumping or climbing over.
2. Provisions shall be made for the removal and proper disposal of animal food, waste, bedding, dead animals and debris. These provisions shall minimize vermin infestations, odors and disease hazards.

D. Animal Documentation Requirements.

1. Written or electronic records shall be maintained, for a period of 365 days from the animal's latest attendance date, of each individual animal attending the boarding facility, including the following information:

- i. Dates of attendance;
- ii. Owner's address and telephone number;
- iii. Type of animal, including breed;
- iv. Animal's name; and
- v. Date(s) of rabies vaccinations.

E. Operational Standards.

- 1. Runs and cages shall display an identification tag for each animal contained therein.
- 2. Each animal shall be observed several times daily by the animal caretaker in charge.
- 3. A written veterinary-approved program shall be developed and updated at least annually. The minimum requirements for this program include parasite preventative program, vaccination recommendations, procedures to minimize disease transmission, disease and injury recognition training, emergency care and procedures.
- 4. A written program shall be instituted which details the procedures to follow in the case of an animal or environmental emergency.
- 5. Unless not permitted by the owner, any animal kept by the facility or service shall be provided with proper veterinary care within a reasonable amount of time in the event of illness or injury occurring at facility or service.
- 6. Animals suffering from a contagious disease shall not be kept by a pet day care facility or service unless it can be adequately isolated from the other animals kept at the facility or service.
- 7. Any animal suspected of showing symptoms of rabies infection shall be immediately segregated and reported to the Biddeford Animal Control Officer.

