

1 H.697

2 Introduced by Representative Buxton of Tunbridge

3 Referred to Committee on

4 Date:

5 Subject: Crimes; humane treatment of animals; shelter of horses

6 Statement of purpose of bill as introduced: This bill proposes to amend the
7 requirements for the shelter of animals maintained out of doors. The bill
8 defines the terms “adequate constructed shelter” and “adequate natural
9 shelter.” The bill also specifies requirements for the daily exercise of horses
10 and the tethering of horses.

11 An act relating to the shelter of animals

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 13 V.S.A. § 351 is amended to read:

14 § 351. DEFINITIONS

15 As used in this chapter:

16 (1) “Animal” means all living sentient creatures, not human beings.

17 (2) “Secretary” means the Secretary of Agriculture, Food and Markets.

18 (3) “Horse” means the entire family of equidae.

19 * * *

1 (C) with a building opening that has a height and width that, at a
2 minimum, allows six inches of clearance above the largest animal's ears when
3 the animal is standing in a normal position, including when manure or litter
4 accumulates on the floor of the building.

5 (20) "Adequate natural shelter" means a natural feature or formation or
6 topography, such as a stand of trees, that:

7 (A) is a well-drained area;

8 (B) is of sufficient size to provide a windbreak and protection from
9 exposure to prevailing winds, rain, hail, sleet, snow, and sun; and

10 (C) provides sufficient space to accommodate all livestock and
11 animals maintained out-of-doors at one time.

12 Sec. 2. 13 V.S.A. § 365 is amended to read:

13 § 365. SHELTER OF ANIMALS

14 (a) All livestock and animals ~~which are to be predominantly that are~~
15 maintained out-of-doors ~~must~~ shall be provided with adequate constructed
16 shelter or adequate natural shelter ~~to prevent direct exposure to the elements.~~

17 (b) ~~Adequate natural shelter, or a three-sided, roofed building with~~
18 ~~exposure out of the prevailing wind and of sufficient size to adequately~~
19 ~~accommodate all livestock maintained out of doors shall be provided. The~~
20 ~~building opening size and height must, at a minimum, extend one foot above~~
21 ~~the withers of the largest animal housed and must be maintained at that level~~

1 ~~even with manure and litter build up. Nothing in this section shall control dairy~~
2 ~~herd housing facilities, either loose housing, comfort stall or stanchion ties, or~~
3 ~~other housing under control of the department of agriculture, food and markets.~~

4 ~~This section shall not apply to any accepted housing or grazing practices for~~
5 ~~any livestock industry~~ Horses shall be provided with daily exercise in an area
6 that:

7 (1) is structurally sound and well drained from standing water;

8 (2) provides room for all animals to move around at one time in all
9 natural gaits; and

10 (3) provides access to a dry area free of mud or manure.

11 (c)(1) A dog, whether chained or penned, shall be provided living space no
12 less than three feet by four feet for 25 pound and smaller dogs, four feet by
13 four feet for 26–35 pound dogs, four feet by five feet for 36–50 pound dogs,
14 five feet by five feet for 51–99 pound dogs, and six feet by five feet for 100
15 pound and larger dogs.

16 (2) The specifications required by subdivision (c)(1) of this section shall
17 apply to each dog, regardless of whether the dog is housed individually or with
18 other animals.

19 (d) A dog or cat confined in a living space shall be permitted outside the
20 cage, crate, or structure for an opportunity of at least one hour of daily
21 exercise, unless otherwise modified or restricted by a licensed veterinarian.

1 Separate space for exercise is not required if an animal's living space is at least
2 three times larger than the minimum requirements set forth in subdivision
3 (c)(1) of this section.

4 (e) A dog maintained out-of-doors must be provided with suitable housing
5 that assures that the dog is protected from wind and draft, and from excessive
6 sun, rain and other environmental hazards throughout the year.

7 (f) A dog chained to a shelter must be on a tether chain at least four times
8 the length of the dog as measured from the tip of its nose to the base of its tail,
9 and shall allow the dog access to the shelter.

10 (g) A cat, over the age of two months, shall be provided minimum living
11 space of nine square feet, provided the primary structure shall be constructed
12 and maintained so as to provide sufficient space to allow the cat to turn about
13 freely, stand, sit, and lie down. Each primary enclosure housing cats must be
14 at least 24 inches high. These specifications shall apply to each cat regardless
15 of whether the cat is housed individually or with other animals.

16 (h) Notwithstanding the provisions of this section, animals may be
17 temporarily confined in a space sufficient for them to stand and turn about
18 freely, provided that they are exercised in accordance with accepted
19 agricultural or veterinarian practices, and are provided sufficient food, water,
20 shelter, and proper ventilation.

1 (i) A horse maintained out-of-doors on a tether shall have access to
2 adequate natural shelter or adequate constructed shelter at all times. A horse
3 shall not be maintained on a tether for a length of time exceeding four hours in
4 any 24-hour time period, except for high lines or picket lines used for
5 temporary tethering.

6 (j) Notwithstanding the provisions of this section, an animal may be
7 confined temporarily in a space sufficient for it to stand and turn about freely,
8 provided that:

9 (1) it is exercised according to the requirements of subsection (b) of this
10 section or according to accepted agricultural or veterinarian practices; and

11 (2) it is provided with adequate food, adequate water, proper ventilation,
12 and adequate natural shelter or adequate constructed shelter.

13 (k) Failure to comply with this section shall be a violation of subdivision
14 352(3) or (4) of this title.

15 ~~(j)~~(l) Notwithstanding the provisions of this section, an animal may be
16 sheltered, chained, confined, or maintained out-of-doors if doing so is directed
17 by a licensed veterinarian or is in accordance with accepted agricultural or
18 veterinarian practices.

19 (m) Nothing in this section shall control dairy herd housing facilities, either
20 loose housing, comfort stall or stanchion ties, or other housing under control of

1 the Agency of Agriculture, Food and Markets. This section shall not apply to
2 any accepted housing or grazing practices for any livestock.

3 Sec. 3. EFFECTIVE DATE

4 This act shall take effect on July 1, 2016.