



TOWN OF NEEDHAM
OFFICE OF THE TOWN CLERK

1471 Highland Avenue, Needham, MA 02492

Louise L. Miller, J.D.
Town Clerk

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October 6, 2025

I have requested that an article be inserted in the October 20, 2025 Special Town Meeting Warrant to change certain provisions related to the Town's dog licensing Bylaws. I propose changes to the Rabies Vaccination and Dog Licensing Bylaws, primarily to update them to reflect recent changes to Massachusetts Law since the Needham's Bylaws were adopted. Other changes are for clarification of language and for alignment of duties with responsible authorities. This memorandum reviews the recent changes in Massachusetts law, and addresses each Bylaw change proposed and the reason for each proposed change. Attached to this memorandum is a redline of the proposed changes to existing Bylaw language and notes explaining the changes more specifically.

Changes in Massachusetts Law - Ollie's Law – Licensing of Kennels

The biggest change to the Bylaws is implementation of Ollie's Law (amending Massachusetts General Laws Chapter 140, Section 137A), which was signed into law on September 20, 2024, updating kennel licensing laws and giving the Massachusetts Department of Agricultural Resources the authority to write rules and regulations for kennels. Ollie's Law took effect on December 19, 2024, with a requirement that municipalities submit their first annual kennel list to MDAR on June 1, 2025, and that MDAR completes its regulations by June 2026. As required under Ollie's Law, Needham submitted its first kennel list, which includes 5 licensed kennels.

The purpose of Ollie's Law is to ensure that municipalities provide oversight to any location that offers commercial kennel services or has a private kennel. All municipalities must have a system in place for the licensing authority (the Town Clerk) to issue, suspend and revoke kennel licenses.

All persons maintaining a kennel must obtain a kennel license. A kennel is any pack or collection of dogs on a single premise, including training, breeder, charitable, personal, or veterinary kennels. The minimum number of dogs to qualify as a personal kennel is 5. There is no longer an option to obtain a private kennel license rather than individual dog licenses for owners of fewer than 5 dogs with no other dogs on the premises. All dogs in a private kennel must have individual dog tags. Ollie's Law removed the option of dogs having a kennel tag. Having individual tags allows for better control of compliance with rabies vaccination requirements and knowledge of individual dogs being kept. Commercial, training, and breeder kennels are clearly defined. Commercial and training kennels are establishments used for boarding, holding, day care, and overnight stays or training of animals that are not the property of the owner of the establishment, in exchange for consideration and in the absence of the owner of the animal. Breeder kennels are establishments, other than personal kennels, engaged in the business of breeding animals in return for consideration.

All kennels must receive and pass an inspection of the premises prior to being issued a kennel license. The Animal Control Officer (ACO) conducts the inspection. The ACO and the licensing authority determine the type of kennel licenses (personal, commercial, training, breeder, charitable, or veterinary) and the maximum number of dogs that the establishment is licensed for. After the initial inspection and licensing, kennels must be inspected at least annually. The ACO inspects for such minimum conditions as: adequate shelter, fresh food and clean water, appropriate management of waste, adequate ventilation, adequate temperature, cages, enclosures or other housing in good repair, no sharp edges, functional latches. Municipalities are free to further define required conditions of inspection. At this time, I recommend that we wait to enact any further requirements of



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inspection. First, with the new law, certain entities that previously were not subject to regulation are being defined as kennels, such as day cares and trainers. We need time to ascertain whether there are additional kennels in Needham that need licensing and have not yet been licensed and the type of kennel. Once we have a clear picture of all kennels, then the ACO can provide feedback on whether additional inspection requirements may be needed to be established. I also suggest that we wait until MDAR issues its regulations and required forms to see whether there is a need to add any inspection requirements.

Fines for a kennel violation are statutorily set at \$500 for the first offense and not more than \$1,000 for a second and subsequent offenses. These amounts are required by the law, and therefore override the \$300 maximum fine that ordinarily applies to other local bylaw violations. Ollie's law provides that the licensing authority or the ACO may enforce the kennel law.

Proposed Bylaw Changes - Article 3

The proposed changes to Article 3 are housekeeping changes to align the language of Needham's Bylaw to current State law language.

Proposed Bylaw Changes - Article 4

Article 4.1.1, 4.1.4, and 4.1.5 proposed changes clarify the period of time that a dog license is effective. Dog license renewal in Needham has taken place from January 1 through April 30, with fines for failure to license if the dog is not licensed by April 30. This results in some dogs having expired licenses for multiple months. I propose that the licensing period should be clarified to be January 1 through December 31 in line with the licensing period for kennels. This would mean that the Town Clerk's office would begin the renewal process on December 1 with renewals of licenses due by January 1 of the license year. The Town Clerk would have authority to implement late fees. Currently, there are no late fees, because the renewal period runs for 4 months after expiration of the dog license after which time, fines are issued through the Police Department. Under the proposed Bylaw, fines for dogs not licensed by April 30 would remain the same.

Article 4.1.2 aligns the language of Needham's Bylaw to current State law regarding service animals.

Article 4.1.6 is new and implements Ollie's Law.

Proposed Bylaw Changes – Article 8

Fines for violations are proposed to be updated to add the Town Clerk as an enforcement agent. The Town Clerk is the office with the information regarding rabies vaccination and licensing. The issuance of fines through the Police Department on behalf of the Town Clerk results in unnecessary administrative work. The Town Clerk issues the fines and mails them on behalf of the police. The Police Department then fields calls intended for the Town Clerk and that need to be referred to the Town Clerk. The ability to levy late fees as proposed in the changes to Article 4 before fines are issued would alleviate complaints from residents at the magnitude of the fine relative to the cost of the license and would streamline the administrative work both in the Town Clerk's Office and the Police Department.



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The statutory fine for failure to license a kennel has been added to the list of fines.

I am happy to answer any questions you may have.

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