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August 6, 2018

Norman Khumalo
Town of Hopkinton
18 Main Street
Hopkinton, MA 01748

Dear Norman:

In the Town of Hopkinton, all kennel licenses are issued on an annual basis. See Hopkinton General Bylaw § 62-7.A. The last time Greyhound Friends possessed a kennel license for its facility at 167 Saddle Hill Road in Hopkinton was for 2017. That license was issued in January 2017.

On January 20, 2017, the Massachusetts Department of Agricultural Resources issued a cease and desist order prohibiting Greyhound Friends from importing any dogs or cats into the Commonwealth until necessary improvements were made to the facility. This cease and desist order was based on several inspections that the Department conducted.

On January 25, 2017, the Hopkinton Town Clerk sent Greyhound Friends notice that its kennel license had been suspended until such time that the facility passes an inspection by the Hopkinton Animal Control Officer. On February 6, 2017, the Hopkinton Animal Control Officer sent a letter informing Greyhound Friends that its kennel license had been suspended until such time as it rectified the violations described in the Department's January 20 order. Greyhound Friends initially requested a hearing before the Board of Selectmen to discuss reinstatement of its 2017 kennel license. However, it subsequently requested that the Board indefinitely postpone any hearing on the license reinstatement, while renovations to the kennel were undertaken.

Since that time, Greyhound Friends' 2017 kennel license expired. Greyhound Friends does not currently have a 2018 kennel license and has not been operating the kennel since 2017. Thus, as things stand today, there is no license that can be the subject of a revocation or suspension hearing. However, public interest in Greyhound Friends has remained strong, and the Board of Selectmen have continued to perceive a need for a public forum where the circumstances of this kennel can be presented and openly discussed.

On June 7, 2018, Greyhound Friends applied to the Hopkinton Town Clerk for a new kennel license. In accordance with *M.G.L. c.140, §137A(a)*, and sections 62-7.B.C. and 62-7.C.C. of the Hopkinton General Bylaws, the Town Clerk typically requests, upon receipt of a kennel

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license application, that the Animal Control Officer or his designee conduct an inspection of the kennel, including its records, for compliance with the provisions of applicable statutes and Town Bylaws. If the kennel passes the inspection, the Town Clerk will ordinarily issue the license. See Hopkinton General Bylaws §62-7.C.E.

If a kennel license is issued, the Board of Selectmen may be called upon to hold a hearing to determine whether that license should be suspended or revoked. See *M.G.L. c.140, §137C* and Hopkinton General Bylaws §62-7.G.B. This determination can be made based on an inspection of the facility and its records, as well as other facts presented at the hearing. See *M.G.L. c.140, §137C* and Hopkinton General Bylaws §62-7.G.B. The Board's determination depends on whether it finds that the kennel is being maintained in a sanitary and humane manner and whether records are properly kept as required by law. See *M.G.L. c.140, §137C* and Hopkinton General Bylaws §62-7.G.B.

Rather than potentially go through this two-step process, the Board announced its intention to move forward with a public hearing so that it could make a recommendation to the Town Clerk regarding the issuance of a kennel license. In response, Greyhound Friends elected to submit its new kennel license application along with a request that the Town Clerk take no action on the application until the Board of Selectmen could hold its hearing.

To reach its decision regarding a recommendation to the Town Clerk, the Board will consider, among other things, whether the kennel has been maintained in a sanitary and humane manner and if records have been properly kept as required by law. The rationale for this approach is that, if the Board makes a finding adverse to Greyhound Friends, it would send a strong message that the license application should be withdrawn.

The Board of Selectmen hearing is currently scheduled for September 11.

If you have any questions or concerns regarding the process that is being followed, please do not hesitate to contact me.

Sincerely,



J. Raymond Miyares