



## **PAPAKURA DISTRICT COUNCIL KEEPING OF ANIMALS, POULTRY AND BEES BYLAW 2008**

### **1 SCOPE**

- 1.1 The purpose of this Part of the bylaw is to outline requirements for the keeping of animals, poultry and bees. The requirements are deemed necessary for the protection of neighbors and property owners.
- 1.2 This bylaw is made pursuant to section 684 of the Local Government Act 2002, and section 64 of the Health Act 1956.
- 1.3 The provisions of this bylaw are in addition to other relevant provisions contained in central government legislation and regulations; the District Plan and other Council bylaws. Although Council officers will provide assistance as to the relevant legislative framework on a case by case basis, it is the responsibility of the public to ensure they comply with the law.

### **2 DEFINITIONS**

- 2.1 For the purposes of this bylaw the following definitions shall apply:

**ANIMAL** means any member of the animal kingdom, including any mammal, bird, finfish, shellfish, reptile, amphibian, insect, or invertebrate, and includes the carcass of constituent part thereof, but does not include human beings or dogs.

**AUTHORISED OFFICER** means any person appointed or authorised in writing by the Chief Executive or by the Council to act on its behalf and with its authority and includes a member of the Police.

**CHIEF EXECUTIVE** means the principal administrative officer of the Council, irrespective of the designation given to the officer, and includes any person for the time being appointed by the Council to perform the duties or a particular duty of the Chief Executive.

**COUNCIL** means the Papakura District Council or any officer authorized to exercise the authority of the Council.

**DISTRICT PLAN** means the operative Papakura District Council District Plan and its amendments.

**NUISANCE** shall have the meaning assigned to it by section 29 of the Health Act 1956 and its amendments.

PERSON a natural person and also body of persons, whether corporate or unincorporated

POULTRY means any live domesticated or farmed bird included but not limited to: fowl, goose, duck, pigeon, turkey, parrot, budgerigar, pheasant, canary, ostrich, guinea fowl, or emu.

STOCK means cattle, sheep, horses, deer, donkeys, mules, goats, pigs, alpacas, llamas, or other animals (excluding dogs) including their young, kept in captivity, or farmed, and dependent on humans for their care and sustenance.

### **3 KEEPING OF ANIMALS GENERALLY**

3.1 No person shall:

(a) Keep an animal which is likely to be a nuisance or a threat to public health or safety.

(b) Keep an animal in conditions which are likely to be a nuisance or a threat to public health or safety.

(c) House any animal on a site without complying with any relevant statute, regulation or permission required from the council under this bylaw.

(d) Keep or allow any animal in a public place in a manner which is or is likely to be a nuisance or a threat to public health or safety.

*Advisory Note: For provisions relating to dogs refer to the operative Dog Control Bylaw.*

### **4 PIG KEEPING**

4.1 No pigs shall be kept in any area which has a predominantly urban character as defined under the District Plan.

### **5 STOCK IN URBAN AREAS**

5.1 Except with the written permission of the Chief Executive or an authorized officer, no person shall keep any livestock in any urban area, as defined in the District Plan.

5.2 Any person permitted to keep stock in an urban area shall ensure that the premises where the stock are kept meet such conditions as may be prescribed by the Chief Executive or an authorized officer.

## **6 ABANDONMENT, DISPOSAL AND SLAUGHTERING ANIMALS**

6.1 No person shall:

- (a) abandon any animal in any public or private place; or
- (b) deposit any animal or any part thereof in any public place

6.2 No person shall slaughter an animal or dismember, handle, process or dispose of the carcass or remains of an animal or any part thereof on any property or premises so as to cause or be likely to cause a nuisance or threat to public health or safety.

## **7 POULTRY KEEPING**

7.1 No poultry caged or otherwise (which shall include geese, ducks, pigeons, turkeys, and domestic fowls of all descriptions) shall be kept in a predominantly urban area except in a properly constructed poultry house covered in with a rainproof roof and provided with a floor of concrete or other approved material with a surrounding nibwall, to which a poultry run may be attached.

7.2 No person shall construct or maintain any poultry house, poultry run, aviary or pigeon coop within 2 metres of any adjoining property boundary and within 10 metres of any dwelling on any adjoining property except with the written permission of any adjoining property owner..

7.3 Every poultry run shall be enclosed to confine the poultry.

7.4 Every poultry house and poultry run shall be maintained in good repair, in a clean condition free from any offensive smell or overflow and free from vermin.

7.5 The number of poultry kept for the production of meat and/or eggs allowed on any urban premises shall not exceed twelve.

7.6 No person shall keep any rooster or cockerel in an urban area, as defined in the District Plan.

## **8 NOISE FROM ANIMAL, BIRD, OR FOWL**

8.1 No person shall keep on any premises any noisy animal, bird, or poultry which causes a nuisance to residents in the neighbourhood.

## **9 BEE KEEPING**

9.1 Beehives kept in an urban area must be registered with Agriquality.

9.2 Bees must be kept in such conditions so as not to create or be likely to create a nuisance or safety hazard to any person.

## **10 WRITTEN PERMISSION AND REFUSAL**

- 10.1 Any written permission granted by the Chief Executive or an authorised officer under this Bylaw may be given subject to any conditions as are considered necessary to avoid any nuisance or threat to public health or safety.
- 10.2 Any written permission referred to in sub-clause 9.1 above may be withdrawn at any time by written notice given by the Chief Executive or an authorised officer.

## **11 ALTERATION OR REMOVAL OF UNAUTHORISED WORKS**

- 11.1 Council may remove or alter any poultry house, poultry run, aviary, pigeon coop or any other structure used to house or contain birds of any nature that has been constructed or is maintained in a condition which is contrary to the terms of this Bylaw.
- 11.2 Council may remove or alter any pen, shed, cage or other structure used to house or contain any animal(s) or bees that has been constructed or is maintained in a condition which is contrary to the terms of this Bylaw.
- 11.3 Council may remove or alter any structure that is being used to house or contain any animal(s) or bees on any property contrary to the terms of this Bylaw.
- 11.4 The cost incurred in removing or altering the structure concerned shall be recoverable as a debt against the owner of that structure or the owner of the land on which that structure was placed or located.

## **12 OFFENCES AND PENALTIES**

- 12.1 Every person who breaches this Bylaw commits an offence and is liable on summary conviction to the penalty set out in section 242(4) of the Local Government Act 2002.