

# **RODNEY DISTRICT COUNCIL**

## **RODNEY DISTRICT COUNCIL GENERAL BYLAW: 1998**

### **CHAPTER 7**

#### **KEEPING OF ANIMALS, POULTRY AND BEES**

##### **EXPLANATION**

This chapter of the bylaw manages the keeping of animals, poultry and bees throughout the District to ensure that this activity does not create a nuisance or become a threat to public health or safety.

There are special controls on pig keeping, poultry keeping, and beekeeping, which have the potential to cause problems, particularly in urban areas.

The chapter is not intended to control the farming of animals, poultry or bees, which activities are subject to the provisions of the District Plan.

This chapter of the bylaw is prepared under sections 145 and 146[b][iv] of the Local Government Act 2002.

**1.0 BYLAW ADMINISTRATION**

1.1 See Chapter 1 - Bylaw Administration for general fee provisions, interpretations, licences, offences, and dispensations.

This Bylaw shall come into force on 1 December 2005 and will be reviewed not later than 10 years from that date.

Nothing in this bylaw shall derogate from the requirements of the District Plan.

**2.0 INTERPRETATION**

KEEPING	Means: (a) in respect of pigs, poultry, and rabbits, the same meaning as set out in the District Plan; (b) in respect of all other animals, means the keeping of one or more of the species concerned and includes their young; and (c) in respect of bees, the keeping of one or more hives.
LEG HOLD TRAP	Means a jaw trap appliance having one or more jaws operated by a spring or lever designed to kill or injure an animal. It does not include a recognised rat or mousetrap.
POULTRY	Means any live domesticated or farmed bird including, but not limited to, fowl, goose, duck, pigeon, turkey, parrot, budgerigar, pheasant, canary, ostrich or emu.

**3.0. KEEPING OF ANIMALS**

3.1 No person shall:

- (a) keep an animal which is or is likely to be a nuisance or a threat to public health or safety; or
- (b) keep an animal in conditions which are or are likely to be a nuisance or a threat to public health or safety; or
- (c) feed any animal so as to breach any restrictions on types of food which may be fed or the manner such food must be prepared; or
- (d) keep any stock on any property in an urban area with an area less than 2000 square metres, without the prior written permission of the Council or authorised officer; or
- (e) 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; or

- (f) keep any animal without having complied with any other applicable statute, regulation, rule of law, regulation or permission; or
- (g) slaughter an animal or dismember, handle, process or dispose of the carcass or remains of an animal on any property or premise so as to cause or be likely to cause a nuisance or threat to public health or safety; or
- (h) for reasons of public safety, set or place or allow to be placed a leg hold trap in any area other than rural area.

#### **4.0 SPECIAL REQUIREMENT FOR PIG KEEPING**

4.1 No person shall, without a licence from the Council or an Authorised Officer:

- (a) keep any pig [that being one pig or more], on any landholding less than 8000 square metres in area; or
- (b) keep more than two pigs on any land less than 4 hectares in area;
- (c) site a building housing pigs, pig swill or manure, closer than 50 metres from any dwelling or building for the storage or sale of food for human consumption and no such building shall be within 20 metres of a property boundary.

Note: The keeping or farming of pigs is a permitted activity under the proposed District Plan in any rural area on a site of 4 hectares or more.

4.2 A licence sought under Clause 4.1 (a) or (b), above may be refused if it is considered the keeping of pigs is likely to be a nuisance or a threat to public health or safety.

4.3 A licence granted under Clause 4.1 (a) or (b) above may be granted subject to conditions as to the numbers of pigs to be kept, the free range limits, the type and location of housing, the keeping or preparation of food, or any other condition as may be determined by an Authorised Officer.

#### **5.0 SPECIAL REQUIREMENTS FOR POULTRY KEEPING**

5.1 No person shall, without a licence from the Council or an Authorised Officer:

- (a) keep more than 12 head of poultry in an urban area;
- (b) site a building housing poultry, closer than 10 metres from any dwelling or building for the storage or sale of food for human consumption and no such building shall be within 3 metres of a property boundary; or
- (c) keep any rooster in an urban area.

Note: Nothing in this bylaw shall prevent the keeping of poultry in an auction room, or slaughter house for a period of 48 hours prior to sale or slaughter.

5.2 A licence sought under Clause 5.1 (a), above may be refused if it is considered the keeping of poultry is likely to be a nuisance or a threat to public health or safety.

5.3 A licence granted under Clause 5.1 (a) above may be granted subject to conditions as to the numbers of poultry to be kept, the free range limits, the type and location of housing, the keeping or preparation of food, or any other condition as may be determined by an Authorised Officer.

## **6.0 SPECIAL REQUIREMENTS FOR BEEKEEPING**

6.1 No person shall:

- (a) place or establish, or cause or permit the placement of any beehive in a public place without the written consent of the Council or an Authorised Officer; or
- (b) site any beehive within the District whether on private or public land, so as to become a nuisance or a threat to public health or safety.

## **7.0 OFFENCES AND PENALTIES**

7.1 Every person who fails to comply with the requirements of this bylaw, commits an offence and is liable, on summary conviction, to a fine not exceeding \$20,000.

7.2 The Council may apply to the District Court under section 162 of the LGA 2002 for an injunction restraining the person from committing a breach of this bylaw

7.3 Where it is suspected that any person has committed a breach of this bylaw, that person shall, on the direction of an Authorised Officer, provide his/her full name, and address.