

# UPPER HUTT CITY COUNCIL

## KEEPING OF ANIMALS, POULTRY AND BEES BYLAW 2005

### EXPLANATORY NOTE

This bylaw is called the Keeping of Animals, Poultry and Bees Bylaw 2005 and was made under Sections 145 and 146 of the Local Government Act 2002 and Section 64 of the Health Act 1956.

The purpose of the bylaw is to outline requirements for the keeping of animals, poultry and bees. The requirements are deemed necessary for the protection of neighbours and property owners.

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## **1.0 APPLICATION OF BYLAW**

1.1 This bylaw applies within the district of the Upper Hutt City Council.

## **2.0 COMMENCEMENT**

2.1 This bylaw came into force on 1 June 2005.

## **3.0 INTERPRETATION**

3.1 In this bylaw, unless the context otherwise requires:

“Authorised Officer” means any person appointed or authorised by the Council to act on its behalf and with its authority.

“Council” means the Upper Hutt City Council and any authorised officer

“Poultry” includes any geese, ducks, pigeons, turkeys and domestic fowls of all descriptions.

“Premises” means any land, dwelling, storehouse, warehouse, shop, cellar, yard, building, or part of the same or enclosed space separately occupied and all lands, buildings, and places adjoining each other and occupied together shall be deemed to be the same premises.

“Stock” includes any horse, cattle, deer, ass, mule, sheep, pig or goat of any description.

“Urban Area” means any area of the City that is:

- (a) situated in any of the residential or business zones established under the Council’s District Plan; or
- (b) situated in an area that is predominantly urban in character.

## **4.0 PIG KEEPING**

4.1 No pigs shall be kept in any urban area.

## **5.0 STOCK IN URBAN AREAS**

5.1 Any person keeping stock in an urban area shall ensure that the premises where the stock is kept meet such conditions as may be prescribed by the Council.

## **6.0 POULTRY KEEPING**

- 6.1 No poultry, caged or otherwise, shall be kept in an urban area except in a properly constructed poultry house, covered in with a rain-proof roof and provided with a floor of concrete or other approved material with a surrounding nib wall to which a poultry run may be attached.
- 6.2 No poultry house or poultry run shall be erected or maintained so that any part of it is within 10 metres from any dwelling, factory or any other building whether wholly or partially occupied or within two metres of the boundary of adjoining premises.
- 6.3 Every poultry run shall be enclosed to confine the poultry.
- 6.4 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.

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

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

## **8.0 BEE KEEPING**

- 8.1 No person shall keep bees in an urban area if in the opinion of the Council the keeping of bees is or is likely to become a nuisance or annoyance to any person or potentially dangerous or injurious to health.

The Council may prescribe conditions relating to the location and number of hives able to be kept on any premises or place in an urban area.

## **9.0 PENALTY FOR BREACH OF BYLAW**

- 9.1 The maximum penalty for an offence against any provision of this bylaw is a fine not exceeding \$500.