

KEEPING OF ANIMALS, BEES & POULTRY BYLAW 2010

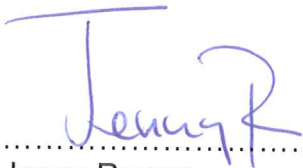
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1 Title, Commencement and Application

- 1.1 This Bylaw may be cited as the Kapiti Coast District Council Keeping of Animals, Bees & Poultry Bylaw 2010 and comes into force on 01 July 2010.
- 1.2 This Bylaw is made pursuant to sections 145 and 146(a)(v) of the Local Government Act 2002 and any other Act or Authority enabling the Council in that behalf.
- 1.3 This Bylaw applies to the Kapiti Coast District.
- 1.4 This Bylaw replaces Part 4 and 5 of the Kapiti Coast District Council General Bylaw 1991.

2 Bylaw Validation

- 2.1 The Kapiti Coast District Council Keeping of Animals, Bees & Poultry Bylaw 2010 was approved at a meeting of the Kapiti Coast District Council held on 03 June 2010 after completion of the Special Consultative Procedure.
- 2.2 The Common seal of the Kapiti Coast District Council was affixed, pursuant to a resolution of Council on 03 June 2010 in the presence of:


.....
Jenny Rowan
Mayor


.....
Pat Dougherty
Chief Executive Officer



3 Objective

- 3.1 This bylaw manages the keeping of animals, poultry and bees throughout the Kapiti Coast District to ensure this activity does not create a nuisance or become a threat to public health and safety. There are special controls on the keeping of animals poultry, and bees, which have the potential to cause problems, particularly in urban areas.
- 3.2 Nothing in this Bylaw derogates from any provision of, or the necessity for compliance with:
- i. the Animal Welfare Act 1999 or any Act passed in amendment or substitution thereof;
 - ii. any other applicable Acts of Parliament, regulations or rules;
 - iii. any other Council bylaws, District Plan requirements; and
 - iv. any other requirements imposed by either Greater Wellington Regional Council or Department of Conservation.

4 Interpretation

4.1 In this Bylaw, unless the context requires otherwise¹:

Animal	means any live member of the animal kingdom (excluding dogs) that is a mammal, a bird or any other member of the animal kingdom which is declared from time to time by the Governor-General, by Order in Council, to be an animal for the purposes of the Animal Welfare Act 1999.
Keeping	means: <ol style="list-style-type: none"> (a) in respect of all animals, the keeping of one or more of the species concerned and includes their young; and (b) in respect of bees, the keeping of one or more occupied hives.
Poultry	means any live domesticated or farmed bird including, but not limited to: fowl, goose, duck, pigeon, turkey, parrot, peacock, budgerigar, pheasant, canary, ostrich or emu.
Poultry Coop	means a structure suitable for containing poultry that consists of a rainproof roof, a properly graded floor of concrete, timber or other appropriate material with a suitably enclosed run attached.
Rooster	means an adult male chicken
Stock	shall include any horse, cattle, deer, donkey, sheep, pig, goat, alpaca or llama.
Urban Area	means any part of the District zoned for residential, industrial or commercial use in the Kapiti Coast District Plan.

¹ In this Bylaw, the interpretations of the General Bylaw 2010 and its amendments are also implied into and form part of this Bylaw unless the context requires otherwise.

5 Keeping of Animals

5.1 No person shall:

- (a) keep any animal which is or likely to be a nuisance or a threat to public health and safety; or
- (b) keep any animal in conditions which are or are likely to be a nuisance or threat to public health or safety²; or
- (c) keep, or allow any animal in a public place in a manner which is likely to be a nuisance or a threat to public health and safety; or
- (d) 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 and safety.

5.2 Where a private property owner wishes to permanently keep a wild animal on their property and/or a circus animal (other than those classified as stock or poultry), they shall apply for a licence from the Council and abide by any requirements specified on the licence to protect public health and safety.

6 Stock

6.1 No owner or occupier of any land shall permit any stock to be kept or grazed thereon, unless such land is enclosed on all sides by a proper and adequate stock proof fence.

6.2 Every person being the owner or having the care of any stock shall keep and prevent the same from wandering or being at large without proper guidance on any public place.

6.3 No person shall use a public road frontage for the permanent grazing of stock unless the prior written approval of the Council is given. This approval shall be subject to such conditions as the Council may impose.

6.4 No person shall keep any pig or goat on any property in an urban area when the area is less than 2000 square metres in size, unless a licence granting an exemption to this rule has been provided by the Council.

6.5 No person shall site a building housing pigs, pig swill or manure, closer than 50 metres from any dwelling or building used for the storage or sale of food for human consumption and no such building shall be within 20 metres of a property boundary.

² Every animal owner has a responsibility to treat and care for their animal/s humanely. The Council will report any breaches of the Animal Welfare Act 1999 to the Police or MAF inspectors.

7 Poultry

- 7.1 A licence is required from the Council before any person can keep or allow to be kept within an urban area any rooster.
- 7.2 Every person being the owner or having the care of any poultry on any property shall keep and prevent the same from wandering beyond the property boundary.
- 7.3 No person shall site a poultry coop closer than 2 metres from any property boundary, dwelling or building where food is stored for human consumption.
- 7.4 Every poultry coop of whatever size shall be suitably constructed so that poultry are confined within the poultry coop and associated run.
- 7.5 The floor of each poultry coop shall provide a minimum area of space for each bird in accordance with the following table:

Floor Space Requirements for a Poultry Coop				
Type of Poultry Bird	Coop		Attached Run	
	Sq Ft	Sq M	Sq Ft	Sq M
Bantam Hen*	3	0.28	4	0.37
Standard Hen	4	0.37	6	0.56
Large Poultry**	6	0.56	8	0.74

* including Quail

**such as ducks & geese

- 7.6 In an urban area the total number of birds on any one urban premises shall not exceed 12 unless a licence for more has been granted by the Council.

8 Bees

- 8.1 Persons wishing to keep bees in an urban area are required to obtain permission from the Council. Permission will be given, if in the opinion of an authorised officer, the keeping of such bees is set up and carried out in such a way that it is unlikely to become a nuisance to any person or dangerous or injurious to health.
- 8.2 Permission to keep bees may be revoked if the conditions for which the permission was originally given are not being met, or nuisance complaints from two or more different adjoining property owners have been received.

9 Offence and Penalty

9.1 Every person who breaches this bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$20,000, as set out in the Local Government Act 2002.

10 Kapiti Coast District Council General Bylaw

10.1 The provisions of the Kapiti Coast General Bylaw 2010 and any bylaw passed in amendment or substitution are implied into and form part of this bylaw.

For rules on Dogs see the Kapiti Coast District Council Dog Bylaw 2008.