

**FAR NORTH DISTRICT COUNCIL
GENERAL BYLAWS**

CHAPTER THIRTEEN

KEEPING OF ANIMALS, POULTRY AND BEES 2007

Made:	13 September 2007
To come into force:	17 September 2007
For the purpose of:	The purpose of this Bylaw is to regulate the keeping of animals, poultry or bees so they do not cause a danger, nuisance or health risk to any person or property.
Pursuant to the powers in:	The Local Government Act 2002 and the Health Act 1956

INDEX

Clause

1301	Interpretation
1302	Keeping of Pigs
1303	Keeping of Horses, Goats, Sheep and Cattle
1304	Keeping of Poultry
1305	Keeping of Bees
1306	Keeping of Cats
1307	Killing of Animals, Poultry or Birds
1308	Removal of Unauthorised Work or Nuisance

1301 INTERPRETATION

- 1301.1 **“Animal”** means any live member of the animal kingdom, other than a dog, that is - *Meaning of Animal*
- (i) A mammal; or
 - (ii) A reptile; or
 - (iii) An amphibian; but does not include a human being:
- “Far North District Plan”** means the plan or plans (whether operative or proposed) for the time being in force in the district under the provisions of the Resource Management Act 1991: *Meaning of District Plan*
- “Nuisance”** has the same meaning as in section 29 of the Health Act 1956 *Meaning of Nuisance*
- “Poultry”** means any live bird that is kept or raised for the purpose of sale or of producing eggs, hatching eggs, or poultry products or for the purpose of rearing on behalf of another person, and includes Ducks, Chickens, Pigeons, Geese, Turkeys, Pheasants and fancy or game birds kept in aviaries *Meaning of Poultry*
- “Stock”** means any horse, cattle, deer, ass, mule, sheep, pig, goat, llama, alpaca, ostrich or any other farmed animal *Meaning of Stock*
- “Water”** has the same meaning as in section 2 of the Resource Management Act 1991 *Meaning of Water*

1302 KEEPING OF PIGS

- 1302.1 No person shall keep pigs in any part of the district except on property zoned Rural Production and Rural Living as prescribed in the Far North District Plan. *Where pigs maybe kept*
- 1302.2 On property, other than those zoned Rural Production and Rural Living as prescribed in the Far North District Plan, no person shall keep, or allow to be kept, any pig without first obtaining the written approval of the Council. *Written approval required*
- 1302.3 No person shall allow any pig to wander freely on any property within 50m of a dwelling, or any other building used for food storage or preparation for sale, or any street or public place, except with the written approval of the Council. *Conditions for the keeping of pigs*
- 1302.4 No person shall construct or permit the construction of a pigsty within 50m of any site *Locating pigsties on a property*

boundary, and in the case of a boundary which adjoins the Residential Zone, Coastal Residential Zone or the Russell Township Zone, as prescribed in the Far North District Plan, 600m.

- 1302.5 Notwithstanding anything in clauses 1302.1, 1302.2, 1302.3 and 1302.4, no person shall keep pigs in such a manner that they are likely to create a nuisance, or become injurious to health, or offensive, or in such a manner as to pollute or be likely to pollute any water. *Pigs as nuisance*
- 1302.6 A person shall not keep pigs except in accordance with the following requirements: *Construction of pigsty*
- (a) Sleeping pens shall have a watertight roof;
 - (b) Walls of sleeping pens shall be constructed to prevent the accumulation of filth thereon and to provide a surface that is easily cleaned and impervious with all internal angles rounded;
 - (c) Floors of sleeping and feeding pens shall be of concrete or other approved impervious material finished to a smooth even surface and graded to a fall of 1 in 25 to an approved outfall;
 - (d) All effluent from sleeping and feedings pens shall be disposed of in such a manner as to not create a nuisance;
 - (e) The pigsty including runs, drains, catchpits and settling tanks shall be maintained in a clean condition;
 - (f) Accumulated manure and offensive matter shall be removed and disposed of as not to create a nuisance;
 - (g) Troughs from which pigs are fed shall be watertight and able to be easily cleaned. They shall be maintained in a clean condition;
 - (h) Troughs whether in feeding pens or elsewhere shall be placed on a smooth concrete slab with a raised nib wall all round and of sufficient size to prevent pollution of the area or ground surrounding the through;
 - (i) No manure or offensive matter from pigsties or any swill shall be stacked, accumulated or stored in any place within 50m of any occupied building, or public place, or the boundary of any adjoining property or in such a way as to give rise or likely to give rise to a nuisance, or be likely to be injurious to health or offensive;
 - (j) Pigswill that emits an offensive odour shall be conveyed and stored in impervious receptacles, with close-fitting covers, to prevent the escape of odour and the swill, or

access by flies;

- (k) Any storage area for pigswill shall be sited at least 50m from the edge of any watercourse and shall be above the estimated 50 year return flood period level of the watercourse;
- (l) Every vehicle, receptacle, cover or utensil used in the handling of pigswill or pig feed of a perishable nature shall be thoroughly cleaned daily. The washings from these items shall be disposed of in such a manner that no direct or indirect discharge to any watercourse occurs.

1302.7 No person shall feed pigs any garbage obtained from any place or source outside the land where the pigs are kept without complying with the provisions of the Bio-security Act 1993, and its amendments. *Feeding of pigs*

1303 KEEPING OF HORSES, GOATS, SHEEP AND CATTLE

1303.1 No person shall keep, or allow to be kept horses, goats, sheep or cattle on any property zoned Residential, Commercial or Industrial, as prescribed in the Far North District Plan, except with the written approval of the Council *Written approval required*

1304 KEEPING OF POULTRY

1304.1 No person shall keep, or allow to be kept more than 10 head of poultry hens on any property zoned Residential, Rural Living, Commercial or Industrial, as prescribed in the Far North District Plan zone, except with the written approval of the Council. *Limitation on keeping of poultry hens*

1304.2 No person shall keep or allow to be kept any poultry, rooster or cockerel for non-commercial purposes on any property in a Rural Production zone, as prescribed in the Far North District Plan, that is 10 metres or less from any boundary *Keeping poultry from boundaries*

1304.3 Where poultry are kept in accordance with clause 1304.1 and 1304.2 of this Bylaw such poultry shall at all times be confined to and not freely able to leave the property on which they are kept. *Poultry shall not be able to leave property*

1304.4 Poultry houses or coops shall – *Construction of Poultry housing*

- (a) be properly constructed;
- (b) be watertight;
- (c) have floors made of concrete or other approved impervious material,
- (d) have an enclosed and secure poultry run;

- (e) be thoroughly and effectively treated in such that safeguards against disease or infection to the poultry or the eggs produced by the poultry;
- (f) be graded, drained and cleared out weekly;
- (g) be kept clean, dry and in good repair at all times; and
- (h) not be constructed within 10m of any dwelling, or any other building used for food storage or preparation for sale or within 2m of any site boundary.

1304.5 Where any poultry house, coop or run does not comply with clause 1304.4 of this Bylaw or is in such a condition as to create a nuisance or possible injury to human health, the Council may serve notice on the owner or occupier of the property to carry out such works within the time specified to abate the nuisance or possible injury to health. *Poultry housing in poor state of repair*

1304.6 Nothing in this Bylaw shall prevent any person from keeping poultry: *Exemptions for keeping poultry*

- (a) In an auction room for not more than 48 hours
- (b) In a shop for the purposes of sale
- (c) In a coop for the purposes of immediate consumption.

1304.7 No person shall keep, or allow to be kept, any rooster or cockerel on any property zoned Residential, Rural Living, Commercial or Industrial, as prescribed in the Far North District Plan except with the written approval of the Council. *Keeping of roosters or cockerels*

1305 KEEPING OF BEES

1305.1 No person shall keep bees, or allow to be kept any bees on any property zoned Residential, Commercial or Industrial, as prescribed in the Far North District Plan, without first obtaining a licence from the Council, and paying the prescribed fees *Where bees maybe kept*

1305.2 The Council may prescribe the location and number of hives to be kept on the property. *Location and hive numbers*

1305.3 No person shall keep bees if in the opinion of the Council the keeping of such bees is, or is likely to become a nuisance or annoyance to any person or potentially dangerous or injurious to health. *Bees as a nuisance*

1306 KEEPING OF CATS

1306.1 No person shall keep, or allow to be kept, more than 5 cats or kittens over the age of 3 months on any property zoned Residential, Commercial or Industrial, as prescribed in the Far North District Plan, without the written approval of the Council *Limitation on cats in some locations*

1306.2 No person shall keep cats or kittens if in the opinion of the Council the keeping of such cats or kittens is, or is likely to become, a nuisance or annoyance to any person or potentially dangerous or injurious to health, or a danger to wildlife *Cats as a nuisance*

1307 KILLING OF ANIMALS, POULTRY OR BIRDS

1307.1 No person shall kill or slaughter, or allow to be killed or slaughtered, any animal, poultry or bird on any property zoned Residential, as prescribed in the Far North District Plan, without the written approval of the Council. *Limitation on killing of animals & poultry*

1308 REMOVAL OF UNAUTHORISED WORK OR NUISANCE

1308.1 The Council may, in accordance with section 163 of the Local Government Act 2002, remove or alter a work or thing that is, or has been constructed in a manner that is likely to become a nuisance or annoyance to any person or potentially dangerous or injurious to health, and recover the costs of removal or alteration from the person. *Removal of structures*