

REGULATORY SERVICES

ANIMAL CONTROL BYLAW

Date of adoption: 31 January 2019

Resolution number: 19/RDC/015

Date review due: Prior to 31 January 2029

Relevant legislation: Sections 145 and 146(a)(v)
of the Local Government
Act 2002

Statutory/Policy: Statutory Authority

1 COMMENCEMENT

1.1 This bylaw comes into force on 11 February 2019.

2 SCOPE

2.1 This bylaw is made under the authority given by:

a) Sections 145 and 146(a)(v) of the Local Government Act 2002; and

3 PURPOSE

3.1 The purpose of this bylaw is to:

a) Control the keeping of animals within the district to ensure they do not create a nuisance or endanger health;

b) Enable Enforcement Officers to manage animal nuisance in the urban area; and

c) Regulate the slaughtering of animals in urban areas.

3.2 This Bylaw does not apply to dogs, the control of which is provided for under the Rangitikei District Council Control of Dogs Bylaw and relevant legislation.

4 INTERPRETATION

4.1 For the purposes of this bylaw, the following definitions apply:

ENFORCEMENT OFFICER means an authorised officer of Rangitikei District Council or an officer of the New Zealand Police.

HOUSEHOLD UNIT means all land and buildings within a single rating unit.

NUISANCE means, without limiting the term “nuisance” any unreasonable interference with the peace, comfort or convenience of another person, whether by way of excessive noise, offensive odours, accumulation of deposits, or the keeping of any animal carcass, or part of a carcass as determined by an enforcement officer.

POULTRY means caged or free range poultry, and includes chickens, peacocks, geese, ducks, turkeys and domestic fowls of all descriptions.

URBAN AREA includes any property zoned as Residential, Commercial and Industrial under the operative District Plan (i.e. does not include Rural Living and Rural Zones), but excludes the properties in Crofton, Mataroa, and Turakina zoned Residential.

STOCK means cattle, sheep, horses, deer, donkeys, mules, goats, pigs, alpacas, llamas, of any age or gender.

STOCK UNIT (SU) is taken to have the same meaning as in the Statistics New Zealand Glossary, i.e. one 55 kg ewe rearing a single lamb. Under this definition, for example, 1 hogget = 0.7 SU; 1 Jersey cow = 6.5 SU; 1 mature Red Deer stag = 1.5-2.0 SU

DISPENSATION means every dispensation under this Bylaw. All dispensations will be reviewed at least every three years.

5 KEEPING OF ANIMALS

- 5.1 No person shall keep any animal in such a manner or in such conditions, which in the opinion of an enforcement officer, creates a nuisance or causes a threat to public health or safety.
- 5.2 It is the responsibility of any person keeping an animal to confine the animal within the boundaries of the premises where the animal is being kept, except for bees or where an animal is being led, driven, ridden or exercised.

6 CATS

- 6.1 No person shall keep more than three cats over three months of age on any household unit in any urban area, unless given a written dispensation by an enforcement officer.
- 6.2 Clause 6.1 shall not apply to any veterinary clinic, SPCA shelter, or registered breeder as accredited under the Cattery Accreditation Scheme operated by the New Zealand Cat Fancy.

NOTE: Boarding or breeding establishments for more than 15 cats requires resource consent under the operative District Plan.

7 POULTRY

- 7.1 No person shall keep more than 12 head of poultry on any household unit in any urban area, unless given a written dispensation by an enforcement officer.
- 7.2 No poultry house shall be erected or maintained so that any part of it is within 10 metres from any dwelling in an urban area, or within 2 metres of any property boundary.
- 7.3 Every poultry house and poultry run shall be maintained in good repair, and in a clean condition free from any offensive smell or overflow, and free from vermin.

7.4 No person shall keep any rooster in any urban area, unless given a written dispensation by an enforcement officer.

7.5 No person shall keep a rooster in such a manner that at any time the rooster can come within 100 metres of a boundary with any urban area, unless given a written dispensation by an enforcement officer.

8 BEES

8.1 No person shall keep bees in any urban area, unless given a written dispensation by an enforcement officer.

8.2 When considering whether to grant a written dispensation, the authorised officer will take into account potential nuisance issues or the potential effects of the beehives on people with serious bee allergies.

8.3 Beehives must be setback at least 5 metres from any road boundary.

9 PIGS

9.1 No person shall keep pigs within any urban area, unless given a written dispensation by an enforcement officer.

9.2 No person shall keep pigs in such a manner that at any time the pigs can come within 25 metres of a boundary with any urban area, unless given a written dispensation by an enforcement officer.

10 GRAZING STOCK IN URBAN AREAS

10.1 No person shall keep stock at a stocking rate greater than 1 stock unit per 1000 square metres of grazeable pasture within any urban area, unless given a written dispensation by an enforcement officer.

NOTE: Refer to the Rangitikei District Council Stock Droving and Grazing Bylaw for regulations on the grazing of road reserves and movement of stock within the District.

11 ANIMAL SLAUGHTER

11.1 No person shall slaughter any stock in any urban area, unless given a written dispensation by an enforcement officer.

11.2 No person shall slaughter any stock within 100 metres of a boundary with any urban area, unless given a written dispensation by an enforcement officer.

NOTE: It is an offence under the Health Act 1956 to leave animals or animal carcasses in a state where they are offensive or injurious to health. It is an offence under the Resource Management Act 1991 to contaminate waterways with animal remains. It is an offence under the Biosecurity (Meat and Food Waste for Pigs) Regulations 2005 to feed pigs untreated meat or untreated food waste. It is an offence under the Rangitikei District Council Control of Dogs Bylaw to allow any dog to be fed or have access to any untreated sheep or goat meat.

12 OFFENCES AND PENALTIES

12.1 Everyone commits an offence against this Bylaw who:

- a) Does, or causes to be done, or permits or suffers to be done, or is concerned in doing, anything whatsoever contrary to or otherwise than as provided for in this Bylaw.
- b) Omits, or neglects to do, or permits, or suffers to remain undone, anything which according to the true intent and meaning of this Bylaw, ought to be done at the time and in the manner therein provided.
- c) Does not refrain from doing anything which under this Bylaw they are required to refrain from doing.
- d) Permits or suffers any condition of things to exist contrary to any provision contained in this Bylaw.
- e) Refuses or neglects to comply with any notice duly given under this Bylaw.
- f) Obstructs or hinders any enforcement officer in the performance of any duty to be discharged by such officer under or in the exercise of any power, conferred by this Bylaw.
- g) Fails to comply with any notice or direction given in this Bylaw.

12.2 Any breach of this bylaw is an offence and liable to summary conviction and a fine not exceeding \$20,000, in accordance with Section 242(4) of the Local Government Act 2002.