

KEEPING OF ANIMALS IN SETTLEMENT AREAS BYLAW 2017

1 SHORT TITLE AND COMMENCEMENT

- 1.1 This bylaw is made pursuant to sections 145 and 146(a)(v) of the Local Government Act 2002, and section 64 of the Health Act 1956.
- 1.2 This bylaw is the Hurunui District Council Keeping of Animals in Settlement Areas Bylaw 2017.
- 1.3 This bylaw comes into force on 23 February 2017.
- 1.4 This bylaw amends the Hurunui District Council Keeping of Animals in Urban Areas Bylaw 2010.

2 OBJECTIVES

- 2.1 The objectives of this bylaw are:
 - To enable Council to control and set standards for the keeping of animals in settlement areas;
 - To protect the public from nuisance; and
 - To protect, promote, and maintain public health and safety.

3 DEFINITIONS AND INTERPRETATION

- 3.1 In this bylaw, except where inconsistent with the context:

Animal has the meaning given to it by section 2 of the Animal Welfare Act 1999.

Authorised Officer means any person appointed by the Council to carry out duties and exercise powers under this bylaw.

Council means the Hurunui District Council.

Nuisance means an animal causing unreasonable trouble or annoyance, or unreasonable interference with the peace, comfort or convenience of any person or persons (including but not limited to the effects of noise, odour, browsing, pests and vermin), or statutory nuisance as defined in Section 29 of the Health Act 1956.

Settlement Areas has the meaning given to it by the Hurunui District Plan.

4 FEES

- 4.1 Actual and reasonable fees for inspections will be charged. Inspection rates are set in the Council's Fees and Charges manual.

5 SERVICE OF NOTICE

- 5.1 The Council may by written notice set conditions or require any person in breach of this bylaw to remedy the causes of nuisance as per the instructions of an Authorised Officer or by removal of the nuisance animal from the property.
- 5.2 The notice is deemed to be delivered to a person if it is delivered to them personally by an Authorised Officer, or sent by post to their last known place of residence or business.

6 PENALTIES AND OFFENCES

- 6.1 Every person commits a breach of this bylaw who:
 - (a) Commits, or causes to be committed, any act contrary to this bylaw;
 - (b) Omits, or knowingly permits to remain undone, any act required by this bylaw;
 - (c) Refuses or neglects to comply with any notice, or any condition in any such notice, whether public or private, given pursuant to this bylaw; or
 - (d) Obstructs or hinders any Authorised Officer in the performance of any power, or duty conferred upon them by this bylaw.
- 6.2 The maximum penalty on summary conviction is \$20,000.

7 KEEPING OF ANIMALS NOT TO CAUSE NUISANCE

- 7.1 No person shall within a settlement area:
 - (a) Keep on any property owned or occupied by that person any animal that is or is likely to be a nuisance or a threat to public health or safety;
 - (b) Keep on any property owned or occupied by that person any animal in conditions that are or are likely to be a nuisance or a threat to public health or safety; nor
 - (c) Keep or allow in a public place any animal in a manner that is or is likely to be a nuisance or a threat to public health or safety.
- 7.2 An Authorised Officer has power to determine for the purposes of this bylaw whether there is a threat to public health or safety or a nuisance is being caused by any situation.