



The following Marlborough District Council Animals Bylaw 2017 applies to the keeping of animals in residential areas within the Marlborough District

5. INTERPRETATION

- (1) In this bylaw, unless the context otherwise requires,—

bird includes a domestic fowl, a duck, a goose, a turkey, a guinea-fowl, a pheasant, an emu, an ostrich, a quail, or a pigeon:

farm animal includes one cattle, a deer, a llama, an alpaca, a horse, a donkey, a mule, more than 2 sheep, and more than 2 goats:

nuisance has the meaning given in Section 29 of the Health Act 1956 and includes a person, animal, thing or circumstances causing unreasonable interference with the peace, comfort or convenience of another person whether or not that person is in a public place:

residential area means any property that is within an central business zone, urban residential zone or an urban living zone in an applicable resource management plan made under the Resource Management Act 1991 except that it does not include any property that is more than 4000 square metres in area.

6. OBLIGATIONS OF ANIMAL OWNERS, GENERALLY

- (1) The owner or person in charge of any animal must at all times—
- (a) ensure that animal does not cause a nuisance to any other person; and
 - (b) ensure that animal does not cause a risk to public health and safety; and
 - (c) ensure that animal does not damage any property belonging to any other person; and
 - (d) ensure that animal may not roam off the property on which it is kept; and
 - (e) hold and comply with a permit to keep cats or birds in excess of the limits in these bylaws; and
 - (f) otherwise comply with these bylaws in all respects.
- (2) Any person who, in the opinion of an enforcement officer, fails to comply with these obligations, that person, on being required to do so by the officer, must take such measures to come into compliance including, if directed, remove the animals from the property, within a time specified by the officer.

15. OFFENCES AND PENALTIES

It is an offence to breach these bylaws with a penalty, on conviction, of a fine not exceeding \$20,000 under the Local Government Act 2002 or \$50 for each day the offence continues under the Health Act 1956.

8. RESTRICTIONS ON KEEPING CATS

- (1) No person may keep on any land more than four cats over the age of 3 months without the prior written permission of Council.
- (2) Nothing in this bylaw applies to the SPCA or other animal shelter or a lawfully established veterinary clinic or cattery.



9. RESTRICTIONS ON KEEPING BIRDS

- (1) No person may keep any rooster in a residential area.
- (2) No person may keep more than 12 birds in a residential area without the prior written permission of Council.



10. RESTRICTIONS ON KEEPING PIGS

No person may keep any pigs in a residential area.

11. RESTRICTIONS ON KEEPING FARM ANIMALS

No person may keep any farm animals in a residential area without the prior written permission of Council.



12. RESTRICTIONS ON KEEPING BEES

- (1) No person may keep bees—
 - (a) If the apiary or the beekeeper is not registered under the Biosecurity Act 1993 and the Biosecurity (National American Foulbrood Pest Management Plan) Order 1998; or
 - (b) which constitute a danger, nuisance, or annoyance to the occupiers of adjoining premises, or to the public, or a danger to health.
- (3) The Council may impose any conditions it thinks fit for the keeping of bees, and require the removal of some or all of the bees from any premises.

13. COUNCIL PERMISSION

- (1) Any person who seeks permission of Council under these bylaws must:
 - (a) Apply in writing providing the information required by Council;
 - (b) Permit Council to inspect the property where the animals are to be kept; and
 - (c) Pay the fee set for the application and inspection.
- (2) Council may grant or refuse to grant permission.
- (3) The permission may be granted on such terms and conditions as Council thinks appropriate including a term after which the permission will expire.

