

Dog Control Policy 2020

Department and Team:	Planning and Environment, Environmental Health Team
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Introduction

This policy outlines and fulfils the Central Otago District Council's obligations for dog control functions across the district. It establishes the framework on which the Dog Control Bylaw and associated fees regarding dog registration and offences are based.

Objectives

The principal objectives of dog control for the Central Otago District Council are:

- That all dog owners fulfil their responsibilities in accordance with legislative requirements;
- To provide education and enforcement as required to minimise dog related complaints;
- To minimise the fear of dog attacks or intimidation from roaming dogs;
- There is a public right to enjoy the environment free of perceived risk/nuisance from dogs and from the activities of dogs; and
- All dog control services and associated activities are met through dog control fees.

Bylaw

The Dog Control Act 1996 states that any territorial authority may, in accordance with the Local Government Act 2002, make bylaws regarding the control of dogs.

The Central Otago District Council Dog Control Bylaw 2020 includes the following provisions:

- prohibiting dogs from specified public places;
- regulating and controlling dogs in any other public places;
- limiting the number of dogs that may be kept on certain premises;
- requiring the owner of any dog that defecates in a public place or on land or premises other than that occupied by the owner to immediately remove the faeces, and

Fees and Registration

All dogs are required to be registered in accordance with the Dog Control Act 1996.

- Dog registration fees are set by Council resolution;
- Dog registration fees, fines and impound fees are used to fund the dog control service;
- Registration fees are due from 1 July annually. If paid after 31 July a late payment penalty is applied. The penalty is an additional 50% of the registration fee.

Other Fees

The demand for dog control services can be caused by non-compliance with the Dog Control Act 1996 and the applicable bylaws. There are a range of other fees which are applied for the administration of dog control associated with responding to non-compliance incidents within the Central Otago District. These fees are set by Council resolution and include:

- Impounding
- Feeding (during period of impoundment)
- Microchipping
- More than 3 dogs licence

More than 3 dogs

No more than three dogs of registrable age i.e. 3 months old and over (whether or not such dogs are registered) may be kept on any premises unless the owner or occupier of the property has a licence from the Central Otago District Council.

No licence shall be required to keep more than three dogs within the rural zone, as defined in the Central Otago District Plan.

No licence shall be granted to the owner or occupier of any premises for more than three dogs unless the owner or occupier can demonstrate compliance with the Central Otago District Council Dog Control Bylaw and the assessment criteria below (which is not an exhaustive list) to the satisfaction of the Central Otago District Council Dog Control Officers:

Dogs:

- The number of dogs requested
- Type or breed of dogs
- Whether any of the dogs applied for are classified as dangerous or menacing
- Registration status of the dogs

Premises:

- Size of premises
- Housing conditions
- Location of the premises
- Actual or potential effects on any other premises
- Fencing

Other:

- Whether there is any increased risk to the safety of children or other vulnerable members of the community
- Potential complaints from neighbouring properties
- If the owner has been infringed or warned for non-compliance with the Dog Control Act 1996 within the 24 months prior to the application date of the licence;
- Whether the owner has been convicted or infringed for any animal welfare offences;
- Whether the keeping of more than three dogs achieves the objectives of this policy;
- Any other matter that in the opinion of a Dog Control Officer is relevant to the determination of the application e.g. will not have a detrimental effect on any other premises or would be inappropriate for the housing of four or more dogs.

Any licence issued may be revoked by the Central Otago District Council for breach of conditions.

Applications for a licence to keep more than three dogs must be made on the prescribed form and shall provide such information in respect of the application as the Dog Control Officer may reasonably require.

A new licence is required where any one of the following circumstances apply:

- where the licence has expired or has been revoked;
- the number of dogs on the premises exceeds the number of dogs specified in the licence;
- where the breed of dog kept at the premises has changed;
- where the dogs are no longer kept at the address specified in the licence;
- where a new dog is kept at the address specified in the licence (whether or not it replaces a dog the subject of the licence).

Re-homing of dogs

If a dog is required to be re-homed, Central Otago District Council dog control officers will endeavour to find a suitable owner or will try to re-home a dog to the SPCA (Society for the Prevention of Cruelty to Animals) or similar organisation.

Where, in the rare occasion a dog cannot be re-homed e.g. as a result of its behaviour, on the advice of a veterinary surgeon the dog will be euthanised.

Central Otago District Council will not permit any dogs to be re-homed into the ownership of any person or organisation for use in a scientific procedure or manipulation for research, testing or teaching purposes as defined by the Animal Welfare Act 1999.

If individuals are interested in adopting a dog who needs re-homing, our dog control officer will assess all applications to determine the most secure forever home for the dog.

Education

Central Otago District Council encourages dog owners to attend dog obedience courses to assist in the training and socialising of dogs, particularly puppy training classes.

The Council may require owners to attend specified courses where a dog is classified as menacing or dangerous.

Menacing and Dangerous

Dogs can be classified as Menacing in accordance with sections 33A and 33C of the Dog Control Act or Dangerous in accordance with section 31 of the Dog Control Act. The Central Otago District Council will prescribe classifications in accordance with the Dog Control Act.

Probationary and Disqualified Owners

Owners can be classified as a Probationary or Disqualified owner in accordance with sections 21 and 25 of the Dog Control Act 1996.

The maximum period of probation or disqualification will apply, unless the owner can demonstrate that the maximum period is unnecessary for the purpose of achieving the objectives of the Council's Dog Control Policy.

Neutered Dogs

Any dog classified as menacing or dangerous by Central Otago District Council or any other Council in accordance with section 33A or 33C of the Dog Control Act 1996 must be neutered.

The owner of a dog classified must if required by the Central Otago District Council, produce a veterinary certificate showing the dog has been neutered or that the dog is unfit to neuter before a certain date.

In all cases the classification documents served on the owner of a menacing or dangerous dog will advise the owner of the requirement to neuter the classified dog.

Owners must comply with this policy on neutering within 1 month of the classification.

Any dog that has not been kept under control on three or more occasions in any 12 month period must neuter the dog within 1 month of being notified by Central Otago District Council.

Dog Fouling

Dog fouling is not tolerated in any form across the district. Dog owners must ensure that they have a suitable receptacle to collect dog faeces and remove dog faeces immediately from public places.

Infringements

The following infringements set by the Dog Control Act 1996.

Offence	Penalty
Wilful obstruction of a Dog Control officer	\$750
Failure or refusal to supply information or wilfully providing false particulars	\$750
Failure to supply information or wilfully providing false particulars about a dog	\$750
Failure to comply with any Dog Control Bylaw	\$300
Failure to undertake dog owner education programme or dog obedience training (or both)	\$300
Failure to comply with obligations of probationary owner	\$750
Failure to comply with effects of disqualification	\$750
Failure to comply with effects of dangerous dog classification	\$300
Fraudulent sale or transfer of a dangerous dog	\$500
Failure to comply with requirements of menacing classification	\$300
Failure to advise person of muzzle and leashing requirements	\$100
Failure to implant a microchip transponder in dog	\$300
False statement relating to dog registration	\$750
Falsely notifying death of dog	\$750
Failure to register dog	\$300
Fraudulent procurement or attempt to procure replacement dog registration label or disc	\$500
Failure to advise change of dog ownership	\$100
Failure to advise change of address	\$100
Removal, swapping or counterfeiting of registration label/disc	\$500
Failure to keep dog controlled or confined on private land	\$200

Exercise areas

Dog's may be exercised without being restrained (e.g. on leash) in any of the following designated exercise areas. All dog's must be under control at all times and may not cause a nuisance, annoyance or distress to any person or animal or damage to property.

Alexandra

- The Alexandra Pines, State Highway 8
- The Linger and Die, between Rivers Street and Manuherekia River
- Town Belt between State Highway 85 and Manuherekia River

Clyde

- Clyde Recreation Reserve (Sunderland Street)
- Vacant land at southern end of Sunderland Street between Clyde Golf Course and Dunstan Hospital

Cromwell

- Alpha Street Reserve between Ortive Street and Ray Street
- Plantation area adjacent to transfer station, Bannockburn Road
- Plantation area between Sandflat Road and Bannockburn Road

Pisa Moorings

- Dustin Park, Pisa Moorings south of the playground

Naseby

- Vacant land, Channel Road
- Forest block off Lomond Street and Killarney Street

Ranfurlly

- Vacant land, corner Alexander Street and Charlemont Street

Roxburgh

- Vacant land, Cheviot Street below the bridge

Prohibited areas

Dogs are not permitted in the following Council controlled designated prohibited areas at any time. Prohibited areas include, but are not limited to:

- Children's playgrounds
- The designated playing surface of all sports grounds (pitches)
- Cemeteries
- Swimming pools

Full details as shown on the Central Otago District Council website www.codc.govt.nz

Dog Parks (fenced)

There are two areas permitted to be fenced to establish dog parks, which are:

Cromwell

- Alpha Street Reserve (between Ortive Street and Ray Street)

Clyde

- Clyde Recreation Reserve (Sunderland Street)

These areas can be established and fenced subsequent to the following criteria:

- Central Otago District Council reserve the right to remove a dog park at any time, where the land has been identified for community recreation or sporting activity
- Any fencing provided will be funded by the community support e.g. fundraising (no rates funding)
- All proposed fencing and installation must be approved by Central Otago District Council prior to installation
- The cost of maintaining the fencing must be met by community support e.g. fundraising (no rates funding)
- Central Otago District Council reserves the right to remove any infrastructure established that in its opinion has become unsafe through a lack of maintenance
- No infrastructure is permitted, unless agreed by Central Otago District Council
- Central Otago District Council will provide a water source for dogs drinking water, a dog waste bin, seating (bench) for dog owners, some shade, mow the grass and signage
- Dogs in the facility must be under control at all times and must not cause a nuisance, annoyance or distress to any person or animal or damage to property.
- All dog owners must clean up any dog faeces and dispose of it appropriately.

Note: Where a community funded fenced dog park does require relocation to a new site, Council will fund the relocation and installation of the fencing in the new location.

On Leash Areas

Dogs must be under the control of their owners at all times and are generally permitted off leash, unless otherwise prohibited or required to be on leash. All dog owners taking dogs out in public **must** carry and use a leash as necessary.

Dogs must be on leash in the following areas at all times:

- a) Alexandra Town Centre
- b) Cromwell Mall
- c) Old Cromwell
- d) Ranfurly Town Centre
- e) Roxburgh Town Centre
- f) All sports grounds i.e. all parts of a sports ground excluding the area where dogs are otherwise prohibited (playing surface)

Full details as shown on the Central Otago District Council website www.codc.govt.nz

Welfare of dogs during an emergency

All dog owners are expected to plan and prepare for the care and welfare of their dog(s) in anticipation of an emergency.

While a state of emergency is in place dog owners must keep their dog under effective control at all times and ensure that their dog(s) does not injure, endanger or cause distress to any person.

Temporary Exemptions

The Central Otago District Council may temporarily exempt any person or premises from any duty or restriction in the Central Otago District Council Dog Control Bylaw where it is satisfied that the grant of an exemption is not contrary to the purpose of this policy, the Dog Control Act 1996 and where public safety is preserved.

Relevant Legislation:

The Dog Control Act 1996

Related Documents:

Proposed Dog Control Bylaw 2020