



**TE WAIROA**  
**WAIROA DISTRICT**

## Contents

INTRODUCTION .....	2
ROLE AND LEGISLATIVE FRAMEWORK.....	2
POLICY & BYLAW REVIEW PROCESS.....	3
PLANNING & BUDGETARY FRAMEWORK.....	3
WHAT IS A RESPONSIBLE OWNER?.....	4
PURPOSE .....	5
POLICY OBJECTIVES.....	5
POLICY STATEMENTS.....	6
STATEMENT 1: COUNCIL BYLAW.....	6
STATEMENT 2: CARE OF DOGS.....	7
STATEMENT 3: IMPOUNDING OF DOGS.....	8
STATEMENT 4: RELINQUISHMENT OF DOGS.....	9
STATEMENT 5: FEES & CHARGES .....	10
STATEMENT 6: DANGEROUS DOGS.....	12
STATEMENT 7: MENACING DOGS.....	13
STATEMENT 8: MICROCHIPPING.....	14
STATEMENT 9: PROHIBITED AREAS.....	15
STATEMENT 10: ON-LEAD AREAS.....	16
STATEMENT 11: OFF-LEAD EXERCISE AREAS .....	17
STATEMENT 12: PROBATIONARY OWNERS .....	18
STATEMENT 13: DISQUALIFICATION OF AN OWNER.....	19
STATEMENT 14: DISABILITY ASSIST DOGS & WORKING DOGS .....	20
STATEMENT 15: PERMISSION TO KEEP ADDITIONAL DOGS .....	21
STATEMENT 16: INFRINGEMENT NOTICES.....	22
STATEMENT 17: OWNER AND PUBLIC EDUCATION.....	23
STATEMENT 18: COMPLAINTS .....	24
STATEMENT 19: ANNUAL REPORT ON DOG CONTROL POLICY AND PRACTICES.....	25

<b>PERSON RESPONSIBLE:</b>	Chief Operating Officer	<b>FILE REFERENCE:</b>	A.04.11/1.09
<b>CATEGORY:</b>	Regulatory	<b>STATUS:</b>	FINAL
<b>DATE REVISED POLICY ADOPTED:</b>	22 August 2017	<b>APPROVAL BY:</b>	Council
<b>REVIEW PERIOD:</b>	5 Years and As required	<b>NEXT REVIEW DUE BY:</b>	2022
<b>DATE PREVIOUSLY ADOPTED:</b>	13 September 2011	<b>REVISION NUMBER:</b>	1

## INTRODUCTION

This policy on dogs is prepared in accordance with the requirements of Section 10 of the Dog Control Act 1996 (the Act) and originally came into force in 2011. This section requires every territorial authority to adopt a policy in respect of dogs within its district and requires the policy to be reviewed at least every five years.

## ROLE AND LEGISLATIVE FRAMEWORK

The primary focus of Wairoa District Council's Dog Control services is to provide a cost effective and professional service through monitoring, compliance and enforcement activities. Council's principal involvement in dog control is in response to the legislative obligations set out in the Dog Control Act 1996.

This includes:

- The maintenance of the National Dog Database and the registration of dogs within the District, including the identification and processing of unregistered dogs.
- Providing a dog ranging service and facilities for the impounding and care of stray and seized animals.
- Providing public education on dog control ownership and safety.
- Providing a compliant investigation and resolution service, including an after-hours service.
- Classifying specified breeds of dogs as dangerous or menacing.
- Microchipping specified dogs.
- Monitoring and enforcing the provisions of the Dog Control Act and Council's Dog Control Bylaw.

The legislation sets out Council's and dog owners' responsibilities. The Council's approach to dog control is one of assisting owners to understand their responsibilities, rewarding those owners who exercise good control of their dogs and taking any necessary action against those who do not meet their obligations.

## **POLICY & BYLAW REVIEW PROCESS**

The Council has previously determined that it is necessary to have controls on dogs in addition to the controls provided by the Dog Control Act 1996, and a Bylaw is the most appropriate means of achieving this.

Section 10AA of the Dog Control Act 1996 requires the Dog Control Policy to be reviewed, if after a review of its Dog Control Bylaw, the territorial authority considers the Bylaw should be amended, revoked or replaced.

The Dog Control Bylaw is required to be reviewed in accordance with sections 158 and 159 of the Local Government Act 2002. If after the review process the territorial authority considers that the Bylaw should be amended, revoked or replaced, the proposed Bylaw must be open to public consultation in accordance with the Special Consultative Procedure set out in section 86 of the Act. The proposed Bylaw changes will therefore be open to public submission and submitters have the opportunity to appear before the Council in support of their submissions.

## **PLANNING & BUDGETARY FRAMEWORK**

The Long Term Plan identifies the total financial commitments, broad work programmes, and overall funding requirements for Council activities.

At an operational level the Bylaw Compliance Activity Plan identifies in detail financial and funding requirements for Council's Dog Control unit and more detailed work programmes and targets and outputs.

Bylaws of the Wairoa District Council are designed to support the Dog Control Policy.

## WHAT IS A RESPONSIBLE OWNER?

A responsible owner is someone that:

- Chooses the right dog and treats them well.
- Ensures their dog has adequate exercise.
- Considers the health benefits for their dog of neutering them at an early age.
- Registers and microchips their dog.
- Teaches their dog basic obedience (keeps their dog under control at all times).
- Knows the best locations where they are allowed to take (exercise) their dog.
- Is particularly vigilant near children and closely supervises interaction between children and their dog.
- Knows when their dog will ignore commands: put dog on-leash, shorten leash, or avoid the area altogether (even if in an off-leash area).
- Respects other people's personal space. Public places are for everyone's enjoyment and not everyone is fond of dogs.
- Ensures their dog cannot leave their property by itself.
- Knows when their dog must be on a leash, and always carries a leash.
- Picks up after their dog and carries the means (e.g. a bag) to pick-up their dog's faeces.

## PURPOSE

The purpose of this policy is to provide a practical framework to give effect to the Act regarding the care and control of dogs throughout the Wairoa district in order to minimise any danger, distress or nuisance caused by dogs to the community in general whilst ensuring the wellbeing and welfare of dogs is protected through responsible ownership.

## POLICY OBJECTIVES

The expected outcomes to be achieved as a result of this policy are:

1. Effective dog control practices and the proper control of dogs at all times
2. Minimise the risk of dog attacks
3. Ensure appropriate levels of monitoring and enforcement of dog control legislation
4. An enjoyable environment and lifestyle where both dogs and people can happily and peacefully co-exist

The community expects dog owners to act responsibly. Many in the community believe dogs can play a positive role in society and provide enjoyment for individuals and families. Council believes that by formulating a Dog Control Policy it can balance these two perspectives by encouraging owners to make better provision for the control and care of their dogs as well as clarifying how and why it undertakes dog control functions.

# POLICY STATEMENTS

There are 19 policy points that current dog owners must adhere to and prospective owners should consider before taking a dog into their care.

## STATEMENT 1: COUNCIL BYLAW

1.1 The Council is empowered under the Local Government Act 2002 and the Dog Control Act 1996 to make and enforce Bylaws for the following purposes:

- Prescribing minimum standards for the accommodation of dogs.
- Regulating and controlling dogs.
- Requiring dogs to be on-lead at all times in public places
- Defining prohibited, on-lead areas and off-lead or exercise areas.
- Requiring owners to immediately remove faeces left by their dog(s) defecating in public places.
- Providing for breeding kennels and breeding of dogs.
- Requiring bitches „in season“ to be confined.
- Providing for the impounding of dogs.
- Limiting the number of dogs that may be kept.
- Providing for the licensing of additional dogs, or
- Any other purpose that from time to time Council deems necessary or desirable to further control dogs.

1.2 Council has a Dog Control Bylaw that outlines matters regarding (but not limited to): obligations of dog owners (registration, microchipping etc.); number of dogs on land or premises; standards for keeping dogs; dogs in vehicles; dogs in public places; infected dogs; nuisance, menacing, or dangerous dogs; impounding; breeding kennels; offences; notices; dispensing power; and, commencement of bylaw.

1.3 This policy should be read in conjunction with the bylaw by dog owners and prospective dog owners in order to ensure an understanding of their ownership responsibilities under the Council's policy and bylaw.

## **STATEMENT 2: CARE OF DOGS**

2.1 Dog ownership carries with it responsibilities to provide proper care, attention and facilities. Failure to do so can lead to unhealthy conditions for the dog and give rise to nuisance to neighbours through odours, vermin, pests, and noise from dogs barking or howling.

2.2 Dog owners shall be required to keep their dogs in clean and hygienic conditions and maintain appropriate facilities for the housing and care of dogs in a good state of repair.

2.3 Council may prohibit the keeping of dogs on properties that can result in a nuisance or a health risk being generated in accordance with the relevant bylaw provisions<sup>1</sup>.

---

<sup>1</sup> Sections 5 & 9.

## STATEMENT 3: IMPOUNDING OF DOGS

3.1 The Council's dog pound is not open to the public due to health and safety issues posed by dangerous dogs, only authorised Council officers will be permitted entrance to the Council's dog pound. There are no exceptions to this policy statement.

3.2 Any dog found in breach of the Council's policy or bylaw, may be impounded and held until claimed by the owner, or destroyed if not claimed by its owner within seven days<sup>2</sup>.

3.3 Impounded dogs shall only be released when:

- Proof of ownership has been established;
- The dog has a working microchip (where applicable);
- Registration fees have been paid (where applicable); and,
- When payment is received of all other fees and charges that have been issued by the Council under this policy or the bylaw.

3.4 Costs are incurred by Council in catching, collecting, housing and feeding the dogs as well as for the administration of impounded dogs – where possible these will be passed on to the dog owner in question. It is important that impounded dogs are returned to their correct owners as soon as possible and that costs are fully recovered to ensure that costs do not become a burden on ratepayers.

3.5 Any dog impounded that does not have a working microchip in accordance with Council's bylaw will be microchipped at the owner's cost before being released. The relevant charge can be found in the Council's Fees and Charges schedule – this is set every year through either the Annual Plan or Long Term Plan process.

3.6 It shall be unlawful to remove any dog from the pound, or from a Council vehicle without the approval of a Council officer who holds the appropriate delegations to do so.

---

<sup>2</sup> Section 69(2) of the Dog Control Act 1996

## **STATEMENT 4: RELINQUISHMENT OF DOGS**

4.1 To prevent the release of unwanted dogs into the community, the Council will accept dogs into the pound for disposal, in appropriate circumstances for a fee and upon receipt of a declaration of release from the owner. Owners may voluntarily relinquish a dog in order to resolve a problem and when they have accepted responsibility for a complaint received by the Council under the Dog Control Act 1996.

4.2 Dogs may be accepted for relinquishment, as a means of resolving a complaint or for a fee, and upon receipt of a declaration of release from the owner.

4.3 The service shall be provided without any privileges, concessions or offerings being made to the owner.

## **STATEMENT 5: FEES & CHARGES**

5.1 The majority of impoundings are caused by dogs wandering at large. Some are seized following an offence under the Dog Control Act 1996 by which seizure is an option. In general, impounding of wandering dogs reflects a lack of the responsibility by dog owners and the actual and reasonable cost of recovery should follow user-pays principles. Payment of impounding costs shall therefore squarely lie with the owner of that dog and not the ratepayer.

5.2 Revenue collected shall reflect the actual and reasonable cost of the time involved in the recovery, the cost of transport, the provision of food, veterinary care, microchipping, shelter and maintenance of the pound. The charge shall also reflect the imposition of a penalty for a breach of Council's Dog Control Bylaw.

5.3 All registered dogs impounded must be microchipped prior to release, in accordance with section 69A(4) of the Dog Control Act 1996.

5.4 Payment of impounding fees shall be required from all dog owners prior to release of any dog from the pound.

5.5 The fees shall be set at a level so as not to discourage the retrieval of a dog from the pound whilst covering the actual and reasonable costs incurred by Council.

5.6 The fees shall increase to impose a greater penalty element for any subsequent impounding of that same dog.

5.7 No unregistered dog or dog impounded shall be released until payment of registration and microchipping fees has been received.

5.8 Sustainance charges shall be set to recover all the costs of feeding, housing and caring for dogs in the pound.

5.9 Registration fees, infringement fees, and other relevant fees and charges will be set in the annual Fees and Charges schedule. Council's bylaw will outline any additional fees/charges for any infringement of the bylaw.

5.10 Dog registration fees shall be calculated to provide sufficient revenue to fund the service.

5.11 Currently Council's funding policy indicates a 10% input from Rates to recognise the Public Good aspect of Dog Control.

5.12 The Dog Control Act also requires that all monies received for Dog Control may only be spent on such activities. All excess money shall be placed in the Dog Control reserve account for use in following years.

5.13 Time and costs associated with monitoring and compliance activities, investigating complaints, and generally carrying out dog control activities will be reflected in the dog registration fees.

5.14 Dog registration fees shall be set to ensure that all costs associated with monitoring, investigation, compliance and general dog control activities are adequately funded.

5.15 The funding of the Dog Control operations will be derived from dog owners and the community generally where this is deemed appropriate by Council.

5.16 A discount scheme will be provided for those owners who pay on time, and for those who acquire Selected Owner Status – as per the Selected Owner Policy.

5.17 Dog control funds shall be set aside for the sole purpose of funding dog control activities.

5.18 Fees and charges not specifically provided for in the Council's Fees and Charges schedule shall be set to recover all the costs reasonably incurred by Council.

## STATEMENT 6: DANGEROUS DOGS

6.1 Section 31 of the Dog Control Act 1996, allows the territorial authority to classify dogs as dangerous. Council will classify dangerous dogs, in accordance with the provisions of the Dog Control Act 1996. Through this policy and the bylaw, Council will create a regulatory requirement for more responsible dog ownership of dangerous dogs.

6.2 The owner of a dangerous dog shall:

- a) Be given notice of the dog's classification in writing.
- b) Be allowed to object to the classification and be heard by Council in a hearing (subject to the payment of any hearing fees and charges).
- c) Be given notice of Council's decision on any objection and the reasons for that decision as soon as practicable.
- d) Comply with the requirements of the Dog Control Act 1996 to keep the dog securely fenced within a portion of the owner's property so that it is not necessary to enter the secured area in order to obtain access to any dwelling on the property.
- e) Comply with the requirements of the Dog Control Act 1996 to ensure that the dog is not at large or in any public place or private way unless confined completely within a vehicle or caged or muzzled and controlled on a leash or lead.
- f) The dog must also be neutered.
- g) Pay the Class D – Dogs classified Dangerous registration fee (as set by Council in the annual Fees and Charges)
- h) Not dispose of (e.g. sell or give) the dog to any other person without Council's written approval.
- i) Shall advise any person in possession of the dangerous dog of the requirement to muzzle, cage, and leash the dog when in public as outlined in point E.
- j) Shall ensure that the dog is microchipped.

## STATEMENT 7: MENACING DOGS

7.1 Section 33A of the Dog Control Act 1996, allows the territorial authority to classify dogs as menacing. Furthermore section 33C requires that Council must classify the breeds or types in Schedule 4 of the Dog Control Act 1996 as menacing. Through this policy and the bylaw, Council will create a regulatory requirement for more responsible dog ownership of menacing dogs.

7.2 Council may classify menacing dogs in accordance with the provisions of the Dog Control Act 1996.

7.3 The owner of a menacing dog shall:

- a) Be given written notice of the dog's classification.
- b) Be allowed to object to the classification and be heard by Council in a hearing (subject to the payment of any hearing fees and charges).
- c) Be given notice of Council's decision on any objection and the reasons for that decision as soon as practicable.
- d) Comply with the requirements of the Dog Control Act 1996 to keep the dog muzzled and/or caged and controlled on a leash or lead when in a public place or private way.
- e) The dog must be neutered within 1 month of receipt of notice of classification.
- f) Advise any person in possession of the menacing dog of the requirement to muzzle/cage the dog when in public, as outlined in Point D.
- g) Ensure that the dog is microchipped.
- h) Pay the Class M – Dogs classified Menacing registration fee (as set by Council in the annual Fees and Charges)
- i) Not dispose of (e.g. sell or give) the dog to any other person without Council's written approval.

7.4 Council must classify all dogs belonging to the breed or type, listed in Schedule 4 of the Dog Control Act 1996 as menacing.

## **STATEMENT 8: MICROCHIPPING**

8.1 Section 36A of the Dog Control Act 1996, requires dogs to be provided with a permanent identification. Dogs registered as Working Dogs under the Dog Control Act 1996 are exempt from microchipping requirements.

8.2 Microchipping will ensure that dogs can be permanently and easily identified, provide a secure link to their owner and will also facilitate the reuniting of the dog with its owner in instances where it has strayed from its property.

8.3 In accordance with the Dog Control Act 1996, Council will ensure that systems are in place to provide information to the National Dog Control Information Database.

8.4 Council requires dogs to be microchipped in accordance with the Dog Control Act 1996 as stated in the bylaw<sup>3</sup>.

8.5 Any registered or unregistered dog impounded that has not been microchipped will be microchipped prior to release. Owners of impounded dogs will be given the choice of having their dog microchipped by Council or their vet – this must take place at the pound prior to release of the dog.

8.6 A fee will be charged to cover any microchipping and administration costs incurred by Council. The fee will be reviewed annually to cover costs incurred. This service is available to all dog owners in the district, not just owners of impounded dogs.

---

<sup>3</sup> Section 3.2

## **STATEMENT 9: PROHIBITED AREAS**

9.1 Council recognises that there are areas in the district where the presence of a dog is undesirable such as;

- a) Areas of high activity used by people in pursuit of sporting or recreational activities;
- b) Areas where dog fouling would have a higher chance of causing a health risk;
- c) Areas where the presence of dogs threaten the peace or comfort of those present.

9.2 Dogs (with the exception of identifiable disability assist dogs as per statement 14) are prohibited from the following areas (in line with the bylaw):

- a) Wairoa District Council buildings including public libraries, and public swimming pools/paddling pools;
- b) Children's playing areas under the control of the Wairoa District Council;
- c) All areas under the control of the Wairoa District Council set aside for organised games or sports;
- d) Any other areas as that Council deems necessary, either permanently or temporarily, and which will be publicly notified and sign-posted accordingly.

## STATEMENT 10: ON-LEAD AREAS

10.1 In many cases dogs form an integral part of family life or offer companionship to their owners. While it is desirable to prohibit dogs in areas of high public usage, it is recognised that socialising is an inherent requirement for both owners and dogs. In such cases it will be necessary for dogs to be under more stringent control by the use of a leash or enclosure in a vehicle.

10.2 Constraint via a leash will:

- a) Ensure proper control of a dog in areas of high activity;
- b) Enable fouling to be immediately recognised and cleaned up; and,
- c) Enable secure tethering of the dog when momentarily left unattended.

10.3 Dogs shall only be allowed in the following areas while under continuous direct physical control by its owner or responsible person by way of an effective lead or being carried in a vehicle while tethered to the vehicle.

- a) Streets within any residential or commercial area and all public places within these.
- b) All public parks, carparks, public reserves and parts of parks and reserves under the control of Council which are neither prohibited areas, or off lead areas

## STATEMENT 11: OFF-LEAD EXERCISE AREAS

11.1 Council has a legal requirement to have regard to;

- a) The exercise and recreational needs of dogs under section 10(6) of the Dog Control Act 1996 in that the Council must give effect to a policy by making a bylaw. However it is noted that this policy does not mandatorily require the designation of OFF-LEAD Exercise Areas.
- b) The need to minimise danger, distress and nuisance to the community generally would be met if areas where dogs may be exercised at large were specifically provided. This would not only allow dog owners' freedom areas but signal to the public generally to expect the presence of dogs in those areas.

11.2 However, Council does recognise that it may not be practical or enforceable to require dogs at all time to be on lead and/or leash control.

11.3 Dog owners however have a responsibility to ensure that animals do not cause a nuisance, run amongst traffic, and to remove and appropriately dispose of any dog faeces. Any dog off a lead must therefore be kept under continual surveillance and be responsive by verbal calls, hand signals, whistles or other commands from the owner or person responsible for, or in charge of, the dog at any time.

11.4 Private properties with suitable means of containment of the dogs shall be declared an OFF-LEAD exercise area.

11.5 Council may from time to time designate dog OFF-LEAD exercise areas in the bylaw.

11.6 Any such public places, specifically identified by Council, will be notified to the public and sign-posted accordingly.

## STATEMENT 12: PROBATIONARY OWNERS

12.1 Section 21 of the Dog Control Act 1996 allows the territorial authority to classify owners as probationary owners if they are convicted of any offence against the Dog Control Act, or other Acts or they commit three or more infringement offences within 24 months.

12.2 This policy aims to indicate to the public generally that poor dog control is not acceptable and to create a regulatory requirement for more responsible ownership. Irresponsible dog owners should be penalised for their actions.

12.3 Council shall adopt a classification of probationary owners in accordance with the Dog Control Act 1996. A probationary owner shall;

- a) Be given notice of the classification as soon as possible in writing;
- b) Be allowed to object to a classification and be heard by Council in a hearing (subject to the payment of any hearing fees and charges);
- c) Be so classified for 24 months unless terminated earlier;
- d) Not own a dog other than those they already own;
- e) Pay a surcharge of 50% on all Dog Control fees payable;
- f) Pay a surcharge of 5% of annual Dog Control fees for each month of any part year the classification applies;
- g) Dispose of any unregistered dog in their possession;
- h) Be so classified over the whole of New Zealand.

12.4 In accordance with the Dog Control Amendment Act 2003, a “probationary owner” will be required to undertake a dog owner education programme or a dog obedience course with each dog that they own (or both).

## **STATEMENT 13: DISQUALIFICATION OF AN OWNER**

13.1 Section 25 of the Dog Control Act 1996 allows a territorial authority the power to disqualify a person from being an owner of a dog if they are convicted of an offence (not being an infringement offence) against the Dog Control Act 1996 or they are convicted of an offence against Part 1 or Part 2 of the Animal Welfare Act 1999, section 26ZZP of the Conservation Act 1987, or section 561 of the National Parks Act 1980, or they commit three or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months.

13.2 In order to indicate to the public generally that repeated irresponsibility will lead to severe restriction on dog ownership, the disqualification system provides for Council to restrict ownership of dogs, where required.

13.3 Council shall disqualify dog ownership in accordance with the Dog Control Act 1996.

13.4 A disqualified owner shall;

- a) Be given notice of the classification as soon as possible in writing;
- b) Be disqualified for a period decided by the territorial authority up to five years;
- c) Be allowed to object to the disqualifications and be heard by Council in a hearing (subject to the payment of any hearing fees and charges);
- d) Dispose of every dog owned by them to a person that does not reside with them.
- e) Be so disqualified over the whole of New Zealand.

## **STATEMENT 14: DISABILITY ASSIST DOGS & WORKING DOGS**

14.1 It is generally recognised that this class of dog poses no risk or problems to the community. The use of dogs to assist people with disabilities warrant special attention and in many cases applying bylaws relating to access would be to deny the rights of disabled persons.

14.2 It is also acknowledged that working dogs used for public duties, kept solely or principally for the purposes of herding or driving stock, and used for assisting people with disabilities are unlikely to present problems. The animals' general demeanour, their housing, location and their use as working animals ensure owner responsibility.

14.3 Council will promote and encourage access to any public place and registered premises for disability assist dogs.

14.4 In recognition of the value of dogs trained for the public good and where used by people with disabilities, dog registration fees for such dogs shall be set to recover as near practicable the cost of the registration process. Disability assist and working dogs will have their own registration classification. The registration fee for this will be set annually as part of the Council's Fees and Charges Schedule.

14.5 Such dogs may include:

- Guide dogs
- Hearing ear dogs
- Dogs kept by the: Police, Customs Department, Ministry of Agriculture, Ministry of Fisheries, Ministry of Defence, and Department of Conservation.

## **STATEMENT 15: PERMISSION TO KEEP ADDITIONAL DOGS**

15.1 Owners who can demonstrate that they are responsible dog owners and who have suitable facilities, may be granted the opportunity to keep more than 2 dogs in an urban situation<sup>4</sup>.

15.2 However this permit shall be subject to owners being able to ensure their dogs are controlled at all times and not causing a nuisance.

15.3 A permit is required to keep more than two (2) dogs housed on an urban property. Upon receipt of an application and fee, dog owners will be required to meet all conditions and requirement of section 4 of the Wairoa District Council Dog Control Bylaw 2011, together with the requirements of the permit application.

15.4 Any nuisance proven to be caused through having more than two (2) dogs on a property may see the permit revoked.

15.5 If the conditions of the permit have not been complied with, Council may revoke the permit.

15.6 The fee for the permit to keep more than two (2) dogs shall cover all the inspection and administration costs incurred by Council. The fee will be reviewed annually and is set out in the Fees and Charges Schedule.

---

<sup>4</sup> Urban property refers to properties in areas zoned as Residential and Settlement in the District Plan.

## **STATEMENT 16: INFRINGEMENT NOTICES**

16.1 An Infringement Notice is an instant fine and if paid within a certain period of time avoids the need to prosecute through the Court.

16.2 An Infringement Notice is only able to be issued for an infringement offence. The offences and fixed fines are specified in the first schedule of the Dog Control Act 1996.

16.3 Failure to comply with an Infringement Notice can lead to court proceedings.

16.4 The advantage of the Infringement Notice system is the provision of fixed, instant fines with the vagaries of judge's decisions removed. It also allows for the withdrawal of the notice at the discretion of Council Officers. Direct action with an offender reduces the cost of legal advice and infringement fees are retained by Council.

16.5 Council will use infringement notices as provided in the Dog Control Act 1996.

## **STATEMENT 17: OWNER AND PUBLIC EDUCATION**

17.1 Owners who attend obedience courses generally have a sensible and caring attitude towards their pets.

17.2 Obedient dogs may still wander and be allowed by their owners to contravene a bylaw, foul in public places and cause a nuisance in public.

17.3 Through public and school education, people will be given the knowledge to deal with some of the situations and nuisances that they may come in contact with. That education may also lead to a more responsible attitude towards dog ownership in the future.

17.4 Council will encourage responsible dog ownership through owner education and encouragement to attend obedience and other methods of responsible dog management and control.

17.5 Council will use focus particularly on developing knowledge and good attitude towards dog ownership through community engagement and education.

17.6 Topics include:

- The correct way to approach a dog;
- Responsibilities of dog owners;
- How to read a dog's body language;
- How to behave if an aggressive dog is encountered;
- Basic care of dogs;
- Disease prevention in dogs;
- Correct way to handle a dog;
- How to control a dog; and,
- How to stop a dog barking to avoid being a nuisance.

## **STATEMENT 18: COMPLAINTS**

18.1 Owners have a responsibility to ensure that their dogs are under control at all times. If a dog is not under control, the public have the right to report the incident to Council Officers and to expect action to be taken, in a consistent and effective manner.

18.2 The public therefore need to be aware of, or have access to, the methods of making their concerns known, how those concerns will be dealt with, what the outcome of their complaint has been, and any rights to have a review of that process undertaken.

18.3 Council endeavours to handle each complaint in a manner appropriate to the particular circumstances. The complainant will be made aware of the process when their complaint is received by a member of the Bylaw Enforcement Team.

18.4 The procedures will include methods to:

- Record the complaint;
- Ensure action is taken by officers;
- Ensure that a report on the complaint is completed;
- Ensure that the complainant is advised of the outcome;
- Provide for a means of review of the actions taken/outcome.

18.5 Complaints will be investigated promptly and within agreed levels of service.

## **STATEMENT 19: ANNUAL REPORT ON DOG CONTROL POLICY AND PRACTICES**

19.1 Dog control matters are of interest to both dog owners and the general public. Council has a responsibility to keep the public informed of dog control issues and Section 10A of the Dog Control Act 1996 establishes the process by which this must happen.

19.2 Council is required under Section 10A of the Dog Control Act 1996, to report annually on its policy and practices this is available on the Council's website.

19.3 The report is required for each financial year and must cover the administration of –

- its dog control policy
- its dog control practices

19.4 The report must include information relating to the number of:

- registered dogs in the district;
- probationary owners and disqualified owners in the district;
- dogs classified as dangerous, and menacing;
- infringement notices issued; and,
- complaints received and the number of prosecutions taken.

19.5 A copy of the report must then be sent to the Secretary for Local Government.