

## **DOG CONTROL POLICY**

Source:	Council Meeting		
Date:	23/01/1997, 09/05/1991		
Reviewed:	26/8/2004, 2010	Next review:	2018
See also:	Dog Control Act 1996		

The Buller District Council will make a by-law under section 20 of the Dog Control Act 1996 ("the Act") for the following purposes:

- a) Prohibiting dogs, whether under control or not, from specified public places;
- b) Requiring dogs, other than working dogs, to be controlled on a leash in specified public places, or in public places in specified areas or parts of the District;
- c) Regulating and controlling dogs in any other public place;
- d) Designating specified areas as dog exercise areas;
- e) Prescribing minimum standards for the accommodation of dogs;
- f) Limiting the number of dogs that may be kept on any land or premises.
- g) Requiring dogs in its district to be tied up or otherwise confined during a specified period commencing not earlier than half an hour after sunset, and ending not later than half an hour before sunrise.
- h) 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:
- i) Requiring any bitch to be confined but adequately exercised while in season;
- j) Providing for the impounding of dogs, whether or not they are wearing a collar having the proper label or disc attached, that are found at large in breach of any by-law made by the territorial authority under this or any other Act;
- k) Requiring the owner of any dog (being a dog that, on a number of occasions, has not been kept under control) to cause that dog to be neutered (whether or

not the owner of the dog has been convicted of an offence against section 53 of this Act);

- l) Any other purpose that from time to time is, in the opinion of the territorial authority, necessary or desirable to further the control of dogs.

## **DOG CONTROL AREAS**

That appropriate signage be erected at principal entry points to indicate prohibited dog and leash control areas.

### **Prohibited Dog Areas**

Dogs shall be prohibited from the following areas:

- The central business and commercial shopping areas of Westport during the hours of 9.00 am to 5.00 pm Monday to Friday and 10.00 am to 12.00 midday on Saturdays.
- Children's playing parks, public paddling or swimming pools, hospitals, cemeteries, playing surfaces of sports grounds, the public parks of Victoria Square, Westport and King George VI Jubilee Park at Reefton, or any other area where local authority signs are erected, prohibiting dogs.

### **Leash Control Areas**

Dogs shall be restrained on a leash in the following areas:

- All urban areas as defined within the Buller District Plan.
- All other parks not identified as a prohibited area.
- River edges, beach or dune areas where there is a presence of recreation swimmers or picnickers (excluding conservation prohibited areas).
- Or any area that the dog, if not on a leash, may intimidate or otherwise cause distress to any person or animal.
- Constance Bay (Blue Penguin Colony).

### **Dog Exercise Areas**

Dogs may be exercised at large in the following areas:

- River edges, beach and dune areas where there is not a presence of recreational swimmers or picnickers (excluding conservation prohibited areas).
- Westport Area - Brougham Street Domain, Westport Domain, Carters Beach Domain (West End).
- Reefton Area - Strand, Crampton Road Reserve (adjacent racecourse), old cemetery (Buller Road)

### **Conservation Prohibited Areas**

Dogs are prohibited from the following areas without first having obtained a dog control permit from the Department of Conservation:

- Paparoa National Park
- Kahurangi National Park
- Rocky Peninsula (Tauranga Bay)
- Seal Colony (Tauranga Bay)

### **ISSUING INFRINGEMENT NOTICES**

Infringement Notices may be issued for any breach of the Dog Control Act or by-laws, provided for in section 65 or the First Schedule to the Dog Control Act 1996, at the discretion of the Dog Control Officer.

### **DELEGATIONS**

The authority to classify dog owners as probationary or disqualified, or dogs as dangerous and menacing under sections 21, 25, 31, 33A and 33C of the Act is delegated to the Manager Regulatory Services.

Sections 22, 26, 31, 33B and 33D of the Dog Control Act 1996 provides for objection against classification of dogs and owners to the Territorial Authority. The authority to hear, consider, determine, uphold, terminate, or decide on any objection, is delegated to the Manager Regulatory Services. In the event that the objection is overturned, the Manager Regulatory Services will be required to arrange for further consideration of the appeal to be made by the Hearing Committee, whose decision shall be final, with the exception of the provisions of Section 25 where such objections are appealable to the District Court.

The Hearing Committee has the power to determine appeals of staff decisions regarding all dog related matters.

### **RETURN OF ROAMING DOGS**

Where the owner of a roaming dog is known, and has not previously been convicted of an offence, or the recipient of an infringement notice the dog may be returned to the owner at the discretion of the Dog Control Officer providing:

- the owner can be readily identified/located; and
- the owner is able to receive the dog; and
- the owner is willing and pays a recovery fee prior to the dog's return; and
- the dog is registered.

If the dog owner is unavailable or unwilling to pay the recovery fee, the dog is to be impounded. Normal fees are to be applied for impounded dogs.

### **ENFORCEMENT PROCEDURES** *(Council Meeting 25/1/06)*

1. Issues infringement notices to owners who have failed to register their dogs if they have been issued with two reminder notices.
2. When dogs have been seized through non registration and disposed of, the outstanding registration fee be written off.
3. When the Courts commute the requirement to pay an infringement notice fine to some other penalty, this infringement fine be written off.
4. When re-registration reminder notices are sent out and the owner is unable to be located, the sum equating to this debtor account be written off.

### **NEUTERING OF CLASSIFIED MENACING DOGS** *(Council Meeting 29/3/06)*

That where dogs which have been classified as menacing show any of the following traits they may be required by an animal control officer to be neutered:

- aggression
- threatening behaviour
- insufficient control

## SPAY/NEUTER REDUCTION AND UNCLAIMED DOGS DESTRUCTION FEE POLICY

Source:	Planning
Date:	11/03/1993
Reviewed:	Next review:
See also:	

That Council offer a reduction on registration fees payable for any spayed or neutered dog residing within the Buller District regardless of the policy they may be covered by (urban or rural), conditional upon certification from a registered veterinarian. The reduction in fee is set by resolution of the Council from time to time.

That this reduction only be applicable to dogs registered prior to 4 pm on 31 July of each year. No refunds will be issued for dogs spayed or neutered throughout the year; the first reduction to apply from the beginning of any new financial year.

New policy to become effective from 1 July 1993.

Further, that an account for \$30.00 be sent to owners whose dog/s has been impounded and they refuse to claim the dog, resulting in dog control staff having to destroy the animal. The owner to be advised of the account they will incur, at the time of notification that the dog is in the pound.