

**TIMARU DISTRICT COUNCIL - DOG CONTROL POLICY**

**INDEX**

**POLICY SECTION**

<b>Policy No</b>	<b>Policy</b>	<b>Page</b>
1	Public Places Where Dogs are Prohibited.....	2
2	Exercise Areas for Dogs .....	3
3	Registration Fees.....	4
4	Impounding Fees .....	4
5	Council Dog Pound - Release of Unclaimed Dogs.....	4
6	Pound Operation - Release of Dogs to Owner .....	5
7	Legal Action .....	5
8	Infringement Notices .....	5
9	Dogs Biting Persons .....	6
10	Dogs Attacking or Rushing .....	6
11	Barking Dogs.....	6
12	Wandering Dogs .....	6
13	Dangerous and Menacing Dogs .....	7
14	Probationary Owners .....	7
15	Disqualification of Owners .....	7
16	Criteria for Persons Wishing to Keep Three or More Dogs .....	7
17	Welfare of Dogs .....	7
18	Conservation Act - Controlled Dog Areas.....	8

## **TIMARU DISTRICT COUNCIL**

### **POLICY IN RESPECT OF DOGS**

#### **Bylaws**

Chapter 6 of the Timaru District Consolidated Bylaw 2007 details requirements relating to dogs.

#### **POLICY 1**

##### **Public Places where Dogs are Prohibited**

Clause 604 of the Bylaw details those areas where dogs are prohibited and these are:

##### **DISTRICT WIDE**

All children's playgrounds

##### **TIMARU**

Aorangi Park

Bay Hill

Beswick Street

Cains Terrace

Canon Street

Caroline Bay - **Note:** That dogs are permitted on the tidal area of Caroline Bay 1 April to 30 September.

Children's Playgrounds

Church Street - From Stafford Street to Sophia Street

George Street

King George Place

Piazza

Sophia Street

Stafford Street - from Sefton Street to North Street

Station Street

Strathallan Street

The Royal Arcade

##### **TEMUKA**

Children's Playgrounds

Commerce Street

King Street between Dyson and Fraser Streets

Maude Street Playground

St Leonards Road Playground

Temuka Domain - the portion of Temuka Domain between the western boundary of the Temuka Golf Course and the eastern boundary of Fergusson Drive.

Temuka Motor Camp

## **GERALDINE**

Village Green Camping Grounds  
Geraldine Domain - excluding walking track  
Geraldine Motor Camp  
Raukapuka Reserve playing fields  
All Children's Playground  
Kennedy Park Sports field

## **PLEASANT POINT**

Camping Grounds - Labour Weekend until Easter (inclusive)  
All Children's Playgrounds

## **POLICY 2**

### **Exercise Areas for Dogs**

#### **Areas where dogs may be exercised at large:**

### **TIMARU**

Ashbury Park  
Marchwiell Park  
Redruth Park  
Scenic Reserve (Centennial Park - excluding the fenced picnic area)  
South Beach  
Waimataitai Beach  
West End Park  
Caroline Bay - 1 April to 30 September (tidal area)

### **TEMUKA**

River areas (the river bed, ie shingle, streams and berm areas)  
Domain Avenue on the tree walkway between Rayner Street and Murray Street

### **GERALDINE**

Reserve opposite Fire Station  
River area (the river bed, ie shingle, stream and berm areas)  
Todd Park

### **PLEASANT POINT**

River areas (the river bed, ie shingle, stream and berm areas)

**AN EXERCISE AREA** for the purpose of this policy is an area where an Owner may have a dog off a leash but under continuous and effective control, ie obedient and responsive to its Owner's commands, or alternatively the dog must be on a leash.

It should be noted that the portions of the above designated exercise areas that are used as or adjacent to sports fields, children's playgrounds or signposted walkways are not included as part of the exercise area.

## **POLICY 3**

### **Registration Fees**

- a) Council dog registration fees shall be on a base administration charge plus a per dog charge in addition to that base fee.
- b) No less than 92% of the funds required for dog control activities shall be financed from annual registration fees.
- c) For the purposes of registration fees dogs shall be classified as either:
  - a working dog as defined in the Dog Control Act; or a
  - pet dog; or a
  - neutered dog; or in a
  - responsible dog owner category shall be either:
    - (i) responsible dog owner; or
    - (ii) responsible dog owner - rural
- d) A neutered dog shall be verified by a veterinary certificate or by a sworn declaration.
- e) A “responsible dog owner category” can be achieved by meeting and maintaining standards defined by Council.
- f) Responsible dog owner standards are available at the Council.
- g) Registration fees will be reviewed by Council in each financial year.

## **POLICY 4**

### **Impounding Fees**

That fees will be reviewed on an annual basis.

## **POLICY 5**

### **Council Dog Pound - Policy for Release of Unclaimed Dogs**

That an unclaimed dog may be released to any person:

- a) If the person is considered by the Manager of the Pound to be a suitable person (this decision being at the discretion of the appropriate Council officer); and
- b) Provided that the dog is vaccinated and neutered, the costs of such to be met by the person wishing to provide a home for the dog.

The requirement for neutering in this clause (b) shall not apply to a dog released to an owner as a working dog for stock purposes.

- c) No impounded dog shall be released to an organisation for research purposes.

## **POLICY 6**

### **Pound Operation - Release of Dogs to Owner**

That dogs shall only be released from the pound under the following circumstances:

- a) All fees must be paid prior to release or alternatively a signed time payment agreement form must be provided.
- b) The dog owner must satisfy the officer that he is the rightful owner of the dog or has been duly authorised by the owner to act in that capacity.
- c) Release shall only be by pre-arranged appointment.

In all cases the officer must endeavour to be at the pound prior to the owner.

## **POLICY 7**

### **Legal Action**

That Council is concerned to ensure that owners and dogs causing nuisance or distress to residents are firmly dealt with. It shall be Council policy that legal action be taken for offences against the Act and/or the Council Dog Control chapter of the Bylaw.

In all cases delegated authority is given to the Regulatory Services Manager as to whether in any specific case it is appropriate to proceed with legal action.

Where appropriate infringement notices shall be the first action taken.

## **POLICY 8**

### **Infringement Notices**

#### **Council policy in respect of infringement notices:**

That in general terms infringement notices shall be issued when officers note an infringement offence being committed.

In cases where the infringement offence is "keeping an unregistered dog" Council policy shall be that any dog owner issued with an infringement notice for non registration shall have the infringement penalty fee waived if the dog concerned is registered within 14 days of the date of the infringement offence notice.

Provided that any owner who has failed to register a dog for the current year and the immediate past year shall not be entitled to the above penalty fee waiver. Neither shall a person issued with an infringement notice for non registration in the previous year be entitled to waiver of penalty fee.

## **POLICY 9**

### **Dogs Biting Persons**

That in all cases where the victim was about their lawful business, the Council will instigate legal action against the dog owner or person in charge of the dog at the time of the offence. A written statement of complaint is required from the complainant. The Court may be asked for a destruction order.

Note: A destruction order is provided for under both s57(5) and s57(6) of the Dog Control Act. Prosecution under s57(5) is the equivalent of Council seeking a destruction order.

## **POLICY 10**

### **Dogs Attacking or Rushing**

That unless there are extenuating circumstances the same will apply as for biting dogs. The dog may be declared a dangerous dog (see Policy 14) unless the dog had offended previously in which case a destruction order may be requested.

Note: In line with Policy 9, an infringement notice would, where appropriate, be the action taken.

## **POLICY 11**

### **Barking Dogs**

That where people are being disturbed by persistent prolonged barking, and have where possible obtained signatures of at least two further people from different addresses, the District Council will write to the dog owner advising of the complaint. If the investigating officer(s) is satisfied that the complainant's property is the only property likely to be affected a complaint from a single resident (residence) will be accepted. A Dog Control Officer will visit the dog owner confirming the letter and endeavour to establish if the complaint is justified giving the owner reasonable time to improve the situation. If after a specified time the problem continues, a notice will be issued to the dog owner requiring the dog to be removed from the property. If the notice is not complied with legal action will be taken. [Note rights of appeal and consequent hearing by Council Committee].

## **POLICY 12**

### **Wandering Dogs**

That where a dog is seen by a ranger or Dog Control Officer to be wandering in a public place, the Officer will seize and impound the dog. The dog will only be released on payment of the stipulated fee. If it is not possible to seize the dog it will be followed to its place of residence and the owner spoken to in an endeavour to obtain an admission of ownership. Legal action will then be taken against the owner under the District Council Bylaw. Legal action may be either court action or the issuing of an infringement notice.

## **POLICY 13**

### **Dangerous and Menacing Dogs**

That the Regulatory Services Manager be delegated authority to act as he considers necessary in regard to s31 of the Act (power to classify a dog as dangerous) and s33A (power to classify a dog as menacing).

Dogs may be classified as dangerous or menacing by the Council and have restrictions placed on them for the reason specified in the Act which relate to convictions or behavioural problems of the dog.

Officers are instructed to take firm action where public safety is at risk and owners are expected to accept responsibility for their dogs.

In the case of making dogs so classified because of the breed, Council policy is that those dogs shall be neutered. In the case of other dogs classified as menacing whether or not the dog shall be neutered shall be decided case by case on its merit.

## **POLICY 14**

### **Probationary Owners**

That the Regulatory Services Manager be delegated authority to act as he considers necessary in regard to s21 of the Act (probationary owners).

## **POLICY 15**

### **Disqualification of Owners**

That the Regulatory Services Manager be delegated authority to act as he considers necessary in regard to s25 of the Act (disqualification).

The Dog Control Act allows for the Council to disqualify any person from being the owner of any dog in certain circumstances.

## **POLICY 16**

### **Criteria for Licences Allowing Three or More Dogs to Be Kept on a Property**

A dog owner wishing to keep more than two dogs on a residentially zoned property shall be required to meet Responsible Dog Owner standards.

## **POLICY 17**

### **Welfare of Dogs**

Although the responsibility for the welfare of dogs is not a prime responsibility imposed on Council by the Dog Control Act 1996 the Council charges its officers with a duty to ensure that animal welfare is part of any inspection work carried out by officers. Matters to be considered by officers shall include but not be restricted to:

- Supply of adequate dry and clean housing
- Supply of adequate water and food
- Freedom from injury or infection - or receiving treatment if appropriate
- Legal action being taken when the above are not observed
- Refer cases of neglect or cruelty to an appropriate agency

## **POLICY 18**

### **Conservation Act 1987 - National Parks Act 1980**

The Conservation Act 1987 and the National Parks Act 1980 detail requirements in respect of dogs. There are no National Parks within the Timaru District, but the following list details land known by Council to be included in a controlled dog area or open dog area under section 26ZS of the Conservation Act 1987.

Raules Gully Scenic Reserve  
Orari Gorge Scenic Reserve  
Peel Forest Park Scenic Reserve  
Waihi Gorge Scenic Reserve  
Talbot Forest Scenic Reserve  
Hae Hae Te Moana Scenic Reserve  
German Creek Wildlife Management Reserve  
Washdyke Lagoon Wildlife Refuge