



DOG CONTROL POLICY		Activity group:	Regulatory Services
Policy Type:	Council		
Approved by:	Council		
Department:	Animal Control		
Date Approved/ Date Policy Comes into Force:	4 August 2022 1 October 2022	Next Review Date:	With the Dog Control Bylaw or 1 October 2032, whichever is sooner.
Relevant Legislation:	Dog Control Act 1996 Local Government Act 2002		
Clutha District Council Documents referenced:	Regulatory Bylaw 2022 – Dog Control Section		

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PURPOSE

Dogs are an important part of many people's working and social lives and have a special place in many families. However, dogs can also cause problems like nuisance from wandering, aggression, barking or fouling, injuries from biting, and they can be devastating to wildlife. To manage these problems and to make sure that our dogs fit well into our communities, the Clutha District Council (the Council) established this policy and companion bylaw.

SCOPE

This policy, and the accompanying bylaw, have effect in all areas of the Clutha District.

POLICY

1. Issues

- 1.1. Dogs are an important part of many people's working and social lives and have a special place in many families. However, dogs can also cause nuisance from wandering, aggression, barking or fouling, injuries from biting, and they can be devastating to wildlife.
- 1.2. The welfare of dogs can also be endangered if not cared for appropriately.
- 1.3. Dog control matters are recorded and reported on every year in Council's Dog Control Annual Report. This report can be found on Council's website.

2. Objectives

- 2.1. The objectives of this policy are:
 - To control the keeping of dogs to prevent danger, distress and nuisance to the community generally.
 - To avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children.
 - To ensure the public can use streets and public amenities without fear of attack or intimidation by dogs.
 - To encourage responsible dog ownership.
 - To ensure wildlife are not endangered by uncontrolled dogs.
 - To ensure opportunities for exercise and the recreational needs of dogs and their owners.
 - To ensure that the fees charged to dog owners provide cost recovery for providing a dog control service to the district and that the fees for different categories of dogs are proportionate to the workload created by each for Council's animal control team.

3. Community Relations and Education

- 3.1. Owner education is an important part of promoting responsible ownership of dogs. Responsible and knowledgeable owners care for their dogs so that their animals remain under control, healthy and well exercised. Well cared for dogs are less likely to disturb people's enjoyment or to affect other animals.
- 3.2. Council's policy is to continue to promote responsible dog ownership by producing and distributing appropriate information material and providing education or other effective programmes.

4. Responsible Dog Ownership

- 4.1. Council will recognise good dog owners and provide a reduction in the fee structure to encourage people who take a responsible approach to the ownership, care and control of dogs.
- 4.2. Owners who can demonstrate that they are fully aware of the responsibilities of dog welfare and control are encouraged to apply to the Council for Responsible Dog Owner Status. Once an application has been received, an Animal Control Officer will arrange to evaluate the owner and inspect the property before awarding Responsible Dog Owner Status.
- 4.3. Council's Responsible Dog Owner eligibility criteria follow.
- 4.4. Council's Responsible Dog Owner fee details and declaration form are available on Council's website.

4.5. Responsible Dog Owner Eligibility Criteria

- 4.5.1. To be eligible for Responsible Dog Owner status, a dog owner must have owned a dog in the Clutha District for a period of at least two years. In addition, they must be able to show:
 - A history of responsible dog ownership, e.g., no recent substantiated complaints.
 - A high level of co-operation and compliance with Council's policy and bylaw, and with the Dog Control Act 1996.
 - That they have suitable kennels, fences or other dog facilities for the housing and control of their dog.
 - A sound knowledge of dog control laws, regulations and bylaws.
- 4.5.2. An owner must also complete the relevant form and pay the application fee.
- 4.5.3. Any contravention of the Council's Dog Control Bylaw or the Act will lead to immediate removal of the Responsible Dog Owner Status.

5. Registration

- 5.1. All dogs in New Zealand must be registered in accordance with section 36 of the Act. This means that:
 - All dogs must be registered by 31 July each year.
 - All dogs must be registered for the first time before they are three months old.
- 5.2. Council widely publicises dog registration timeframes every year and provides information on our website to encourage dog registration.
- 5.3. Council enforces registration of dogs for the following reasons:
 - So that there is an up to date record of all dogs and their owners.
 - To allow for the return of lost dogs.
 - To generate revenue to support dog control services across the district.
- 5.4. Council applies a penalty fee to any dog registration fees that are not paid by 31 July each year.
- 5.5. Registered dogs must wear a registration tag at all times. Council will replace a lost dog registration tag at no cost.

- 5.6. It is an offence not to register a dog that is over three months of age.
- 5.7. It is an offence to knowingly provide false information on a dog registration application form.

6. Fees

- 6.1. Council's policy is to apply a graduated fee scale to target fees to high demand users and to deter non-compliance, for example:
 - Fees for repeat impounding of a dog increase with each subsequent impounding.
 - Fees for registration are higher for urban non-working dogs and are increased further for dangerous dogs as they make up the majority of Councils animal control workload.
 - Responsible dog owners receive reduced registration fees.
- 6.2. The owner of any dog must pay the annual registration fee, payable to the council by 31 July each year. Any registration fee which remains unpaid after this date will incur a penalty charge.
- 6.3. In order to determine the level of registration fee to be paid, dogs are categorised as:
 - (a) Working dogs (as per the definition in the Act) or Non-Working dogs (all those which do not meet the working dog definition).
 - (b) Rural or Urban (as defined by the Clutha District Plan).
 - (c) Responsible Dog Owners (criteria outlined in this policy).
- 6.4. Council may also introduce fee rates for other categories.
- 6.5. Dog registration fees are reconsidered each year. The latest fees can be found in Council's Schedule of Fees and Charges, available on the Council website or from Council's offices.
- 6.6. Other fees are set by Council resolution include but not limited to impounding, sustenance, euthanasia, advertising, micro chipping, multiple dog licence and responsible dog owner application.
- 6.7. Council provides a 24 hour, 7 days a week dog control service. Two dog control officers and one administrator are employed by the Council with after-hours complaints dealt with by a Council contractor.

7. Where Can you Take your Dog?

- 7.1. Dogs are prohibited from some specified public areas or must be on a leash in others. This is generally done to protect vulnerable wildlife, and the health and safety of the public. In this policy the Council specifies several areas where dogs are not permitted or where they must be kept on a leash.
- 7.2. The general areas used in this policy to define the level of control an owner must have over a dog are the Resource Areas as defined in the Council District Plan. There are six areas:
 - Rural Resource Area
 - Coastal Resource Area
 - Urban Resource Area
 - Industrial Resource Area
 - Transitional Resource Area
 - Rural Settlements
- 7.3. The following dogs are exempt from this prohibition:

- Guide-dogs for the blind.
- Registered disability assist dogs.
- Registered search and rescue dogs.
- Police dogs.
- Dogs being used by property guards (as defined in the Private Security Personnel and Private Investigators Act 2010).
- Dogs being used to fulfil the functions of the Department of Conservation where landowner permission has been granted.
- Dogs confined in an efficient container, or securely confined in or by lead or restraint on a vehicle.

7.4. Prohibition also does not apply to organised events held by Kennel Clubs, dog obedience clubs, dog trials etc.

7.5. Prohibited areas

- 7.5.1. Dogs are prohibited from entering some places and areas in the district.
- 7.5.2. This means you cannot take your dog into any of these areas.
- 7.5.3. Clutha District has many areas which have high visitor and wildlife significance. These areas are managed by Department of Conservation or other agencies such as the Yellow Eyed Penguin Trust and dogs will be either prohibited altogether or permitted if kept on a leash. The relevant dog control signs must be displayed and obeyed at these areas.
- 7.5.4. Council enforces dog control in public areas that are under the Councils control. If a public area is under the management of another body that can legally enforce dog control and has the staff and resources to enforce it, the other body, such as the Department of Conservation, will be responsible for dog control in these areas.
- 7.5.5. Specific prohibited areas for dogs within the Clutha District are laid out in Schedule B of the Clutha District Council Regulatory Bylaw – Dog Control section.

7.6. Leash control areas

- 7.6.1. These are public places in the Clutha District where dogs are only allowed if they are on a leash, chain or lead which is secured or held so that the dog cannot break loose and include:
- The Urban Resource Area
 - The Industrial Resource Area
 - Rural Settlements
 - All public cemeteries
- 7.6.2. In addition, dogs must be kept on a leash on public walking tracks in those Scenic Reserves where owners are permitted to take dogs. Signs erected at these locations specify whether dogs are permitted and must be obeyed.

7.7. Dedicated dog exercise areas

- 7.7.1. Council may set aside areas within the leash control areas of the district where dogs may be exercised off the leash. Any such areas would be managed in accordance with the Council's Reserve Management Plan.

7.8. Non designated areas

7.8.1. Dog owners can take their dogs into other public areas in the district, however, a dog owner must carry a leash with them at all times when in a public area with their dog. This applies to the following areas as described in the Council District Plan.

- The Coastal Resource Area
- The Transitional Resource Area
- The Rural Resource Area

7.8.2. Failure to comply can lead to an infringement fee or a fine.

7.8.3. When a dog is on land or premises occupied by its owner, the owner must, at all times, ensure that either the dog is under the direct control of a person, or is confined in such a way that it cannot freely leave the land or premises. Failure to comply can lead to an infringement fee or fine, and the dog can be seized and impounded.

8. Dangerous and Menacing Dogs

8.1. Dangerous dogs (s31)

8.1.1. Dogs that have attacked people, or domestic or protected animals may be declared dangerous by Council. Dangerous dogs must be muzzled in public, neutered or spayed, and kept in a fenced area separate from access to the house. They must also be microchipped if they do not already have a microchip.

8.1.2. Dangerous dogs must not be sold without Council's approval, and the owner of a dangerous dog will pay a 50% surcharge on registration fees.

8.2. Menacing dogs (s33A and s33C)

8.2.1. Dogs which have not actually made an attack, but which are still considered to pose a threat (based on behaviour or breed) may be declared menacing by Council. Menacing dogs must be muzzled in public, and Council can require them to be neutered or spayed.

Note (not forming part of the bylaw): The [Animal Welfare \(Care and Procedures\) Regulations 2018 \(section 12\)](#) include obligations for every person in charge of a dog that is muzzled.

9. Impounding of Dogs

9.1. A dog owner is responsible for the control of their dog. Where a dog is uncontrolled it may be impounded.

9.2. An owner may reclaim their dog from the pound after the payment of the relevant fee, after registering the dog if it is unregistered, and microchipping the dog if it is not already microchipped. In addition to a flat fee, the owner is liable for covering the additional costs incurred by the impounded dog including:

- Daily sustenance.
- After hours impounding fee.
- Registration and advertising (if appropriate).
- Actual cost of microchipping dog prior to release, if required.

9.3. Where a dog is not claimed by its owner it may be disposed of or sold to a new owner. Any impounding and disposal costs will be charged to the owner (if known).

10. Nuisance

- 10.1. For the management of dog nuisance, the Council will employ the following:
- 10.1.1. Minimise nuisances caused by dogs by providing incentives designed to encourage responsible dog ownership.
 - 10.1.2. Issuing of warnings and offer education/advice to owners, where appropriate, about the major nuisances associated with dog ownership and how to avoid them.
 - 10.1.3. When a nuisance exists, provide effective control to reduce the problem and sufficient deterrent against non-compliance. This includes:
 - Issuing a warning or infringement notice.
 - Prosecution where the offence or effects of the offence are significant.
 - Impounding of roaming dogs.
 - Impounding of unregistered dogs.
 - Impounding of dogs when other provisions of this policy or the accompanying bylaw are breached, for example multiple dog ownership without the appropriate licence.

11. Enforcement

- 11.1. Council's policy is for Animal Control Officers to issue Infringement Notices where appropriate to promote the objectives set out in this policy.
- 11.2. Animal Control Officers may issue an Infringement Notice in accordance with the Dog Control Act 1996.
- 11.3. Where the offence or the effects of the offence are significant Council will pursue prosecution of offenders.

12. Bylaw

- 12.1. The Dog Control section of Council's Regulatory Bylaw 2022 gives effect to this policy. The Dog Control Bylaw (part of the Regulatory Bylaw 2022) includes the following provisions:
- Shelter for dogs
 - Control of dogs
 - Infectious or infested dogs
 - Nuisances
 - Licence to keep more than two dogs
 - Impounding of dogs
 - Suspension of provisions
 - Breach of bylaw
 - Penalties
 - Repeals

13. Consultation

- 13.1. This policy shall be reviewed in accordance with the special consultative procedure set out in section 83 of the Local Government Act 2002 and section 83(1)(e) of the same Act which requires notice to be given to every person who is, according to Council's register, the owner of a dog.

14. Reviews

- 14.1. This policy will be reviewed in line with the requirements to review the Dog Control Bylaw, which is every 5 or 10 years or earlier should the bylaw be reviewed before its prescribed time.

Version Control

Version History			
Date:	Action:	Name:	Version:
14 September 2006	Policy approved	Chief Executive	1
30 June 2016	Policy approved (v2)	Chief Executive	2
12 May 2022	Draft created	Melissa Needham	3a
4 August 2022	Policy approved	Council	3
1 October 2022	Policy comes into force		