

Appendix 3

Proposed Dog Control Policy as at October 2012

DOGS

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DOG CONTROL

D100

This policy forms the basis of the District Bylaw made under Section 10 of the Dog Control Act 1996.

1 Dog Control Matters

- a) No person shall keep more than two (2) dogs on any property of less than four hectares in size, regardless of the zoning, without holding a licence issued from the Council for that purpose.
- b) No person shall keep more than four (4) dogs on any property of a greater size than four hectares regardless of the zoning, without holding a licence issued from the Council for that purpose (except where such dogs are working dogs used by farmers, shepherds or musterers for bona fide farming practices).
- c) Dogs shall not be tethered within five (5) metres of any commercial premises (except for dogs confined by leash or chain on open trays of vehicles).
- d) Dogs in all public places (unless prohibited) shall be kept under continuous and effective control at all times.
- e) Dogs on open trays of vehicles must be confined by leashes or chains of a length adequate to prevent such dogs from falling from the vehicle or snapping at passers-by. This provision shall not apply where any dog is adequately confined on the rear of a vehicle by means of a wire cage or similar device.
- f) Diseased dogs, or bitches on heat, must be confined so they are unable to wander at large on any private or public land.
- g) The owner or person in charge of a dog in any public place must carry a suitable container for the removal of any faeces defecated by that dog.
- h) Every person whose dog defecates in any public place or on any land not owned or occupied by that the person, must immediately remove the deposited faeces from that land or place (and dispose of it in a sanitary manner into a suitable waste receptacle).
- i) Dogs seized at large on any public place in breach of the Bylaw shall be impounded.
- j) Dogs classified as menacing under Section 33A of the Dog Control Act 1996 may be required to be neutered. In exercising this discretion the Council will take into account the likely effectiveness of neutering in reducing the dogs aggressive behaviour.
- k) Dogs classified as menacing under Section 33C of the Dog Control Act 1996 are required to be neutered.
- l) The requirements of clauses (j) and (k) apply to any dog classified as menacing in another Territorial Authority's District if the owner wishes to register that dog in Selwyn District.

2 Areas Where Dogs Are Prohibited

Except for the dogs listed below, dogs shall be prohibited from the following areas:

- (a) All children's playgrounds in public places (including a 5 metre perimeter of those areas and any playground equipment);
- (b) All schools specified in Appendix 2 to the Bylaw 2012;
- (c) All hard-court recreation areas in public places such as netball or tennis courts (including a five (5)metre perimeter of those areas);

- (d) All golf courses on Council reserves as specified in Appendix 2 to the Bylaw;
- (e) All marked playing or sports fields in Council Reserves (including a five (5) metre perimeter); at times when the marked playing or sports field is in use for an organised recreation, sporting or social activity occurring within a defined area and a defined timeframe.
- (f) Council reserves at times when the reserve is in use for an organised recreation, sporting or social activity occurring within a defined area and a defined timeframe (except when the use is only of a marked playing or sports field, in which case paragraph (e) above applies).
- (g) All Council skate parks as specified in Appendix 2 to the Bylaw.
- (h) The Arthurs Pass National Park under the National Parks Act 1980.

The following working dogs are not prohibited from the areas listed above as long as the dogs are carrying out their function as working dogs:

- (a) Disability assist dogs as defined in section 2 of the Dog Control Act 1996;
- (b) Specialist rescue dogs; and
- (c) Any dog kept by the Police or any Constable, the Customs Department or the Ministry of Defence, any Security Officer or any Officer or Employee of any such Department of State solely for the purposes of carrying out the functions, powers, and duties of the Police or the Department of State or that Constable, Officer or Employee.

3 Dog Exercise Areas

Areas located outside of township areas where limited speed zones do not apply may be considered as exercise areas where dogs may be exercised off a leash. A number of Council Parks and reserves (listed in Appendix 3 to the Bylaw) may be considered as exercise areas where dogs may be exercised off a leash.

This applies at times when any sports or playing fields or other areas within Council parks and reserves are not in use for organised public, sporting, cultural or social events.

Dogs must be under control at all times.

4. Dog on Leash Areas

The following public places are areas where dogs are permitted, but must be controlled on a leash fixed to the collar of the dog at all times:

- a) "Restricted Speed Zones" or "Township Zones" including roads and footpaths; and
- b) Public parks and Council reserves and any other public places not otherwise designated as dog prohibited areas or dog exercise areas.

5 Fees

- a) Registration fees are based on actual costs incurred by Council for the registration and control of dogs and relate to:
 - 1) recovering administrative costs relating to dog registration;
 - 2) education of owners and carrying out other functions under the Dog Control Act 1996; and
 - 3) ensuring compliance with and enforcement of the Bylaw and the Dog Control Act 1996.
- b) A reduced registration fee will be payable for dogs that have been neutered.

- c) No registration fee shall be payable for Disability Assist Dogs as defined in section 2 of the Dog Control Act 1996.
- d) The fee for applying for a licence required to keep multiple dogs will reflect the costs associated with processing such applications, including the costs of any inspection.

6 Education – Awareness Programme

This focuses on:

- 1) Schools – promoting bite prevention and dog care skills.
- 2) Community groups – emphasising dog control responsibilities and personal safety.
- 3) Displays – reinforcing legislation and responsible dog ownership.

7 Dog Obedience Courses

The Council does not run, nor does it intend to run, any dog obedience courses.

8 Disqualification of Owners

The Council shall apply the provisions of the Dog Control Act 1996 on the disqualification of owners.

9 Classification of Owners

The Councils' Policy is that it does not differentiate between categories of owners.

10 The Issuing of Infringement Notices

Infringement notices shall be issued, as specified below, for offences under each of the following sections of the Dog Control Act 1996. In relation to any of the offences specified, the Council may, in its absolute discretion, issue a warning (whether written or oral) in relation to a first offence followed by an infringement notice for any subsequent offending in respect of that offence.

- 18 Wilful obstruction of Dog Control Officer or Dog Ranger.
- 19(2) Failure or refusal to supply information or wilfully stating false particulars.
- 19A(2) Failure to supply information or wilfully supplying false particulars about dog.
- 20(5) Failure to comply with any bylaw authorised by section 20 of the Act.
- 23A(2) Failure to undertake dog owner education programme or dog obedience course
- 24 Failure to comply with obligation of probationary owner
- 28(5) Failure to comply with effects of disqualification.
- 32(2) Failure to comply with effects of classification of dog as a dangerous dog.
- 32(4) Fraudulent sale or transfer of dangerous dogs.
- 33EC(1) Failure to comply with the effects of classification of dog as menacing dog.
- 33F(3) Failure to advise person of muzzle and leashing requirements
- 36A(6) Failure to implant microchip transponder in dog:
 - a) for dog classified as dangerous or menacing
 - b) for dog registered for the first time on or after 1 July 2006.
- 41 False statement relating to registration.

- 41A Falsely notifying death of dog
- 42 Keeping an unregistered dog.
- 46(4) Fraudulent attempt to procure replacement label or disc.
- 48(3) Failure to advise change of ownership of dog.
- 49(4) Failure to advise change of address.
- 51(1) Removal or swapping of labels or discs.
- 52A Failure to keep a dog controlled or confined.
- 53(1) Failure to keep dog under proper control.
- 54A Failure to use or carry a leash in a public place.
- 54(2) Failure to provide proper care and attention, to supply proper and sufficient food, water and shelter, and to provide adequate exercise.
- 55(7) Failure to comply with barking dog abatement notice
- 62(4) Allowing a dog known to be dangerous to be at large unmuzzled or unleashed. .
- 62(5) Failure to advise of muzzle and leashing requirements
- 72(2) Releasing dog from custody

11 Dog Pound

- a) Because of the costs related to building, maintaining, securing and staffing a facility for the impounding of dogs, bitches and or puppies the Council shall continue to contract out this service.
- b) The impounding and release of dogs shall be subject to the following conditions:
 - (1) Where a dog is released to a new owner, the new owner is required to pay, irrespective of the age of the dog, a registration fee for the remainder of the current year, as if the dog had just attained the age of 3 months.
 - (2) Where a dog is claimed by its owner, the dog shall not be released from the pound until all fees and charges have been paid or, in the case of genuine financial hardship, arrangements for payment made at the Council's absolute discretion.
 - (3) No dog shall be released from the pound into the ownership of any person or organisation that may use such an animal for the purposes of research in which the dog is subjected to physical operations or treatments causing changes, whether temporary or permanent, to the dog.
 - (4) All unregistered dogs are required to be microchipped at the new owner's expense prior to being released from the pound.

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