

<b>Central Hawke's Bay District Council</b>	<b>POLICY MANUAL</b>	
	<b>Document #</b>	2.8
<b><i>DOG CONTROL POLICY</i></b>	<b>Approved by:</b>	Council
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## 1. INTRODUCTION

The Dog Control Act passed in June 1996 required every territorial authority to adopt a Policy in respect of dogs in its District before 31 March 1997. The Dog Control Amendment Act 2003 further required that this Policy be reviewed by 1 September 2004. The Council is required to publicly notify the Draft Policy and invite written or verbal submissions.

## 2. PURPOSE OF POLICY

- 2.1 To develop a practical framework for the care and control of dogs throughout the District while minimising any danger, distress and nuisance to the community in general.
- 2.2 To integrate control measures recently passed through the Dog Control Act and Council's Dog Control Bylaws together with targeted education to modify the behaviour of both dogs and their owners to avoid nuisance situations.
- 2.3 To encourage owners to make better provision for the control and care of their dogs and to clarify why Council undertakes Dog Control functions, the way those functions are undertaken and how Council intends to make changes to continually improve the service.

## 3. BYLAW

Council is empowered to make Bylaws in accordance with the Local Government Act 2002 and in accordance with the Dog Control Act 1996 Section 20. The Central Hawke's Bay District Council's Dog Control Bylaw was last reviewed in 2008. In light of the requirements of the Dog Control Amendment Act 2003, it has been necessary to make some minor changes to the Bylaw.

Council will make and enforce Bylaws for the following purposes:

- Prescribing minimum standards for the accommodation of dogs.
- Regulating and controlling dogs.
- Defining prohibited, controlled and exercise areas.
- Requiring owners of dogs defecating in public places to immediately remove faeces.
- Regulations for breeding kennels and breeding of dogs.
- Requiring bitches in season (on heat) to be controlled.
- Impounding of dogs.
- Limiting the number of dogs that may be kept.
- Licensing of additional dogs.
- Any other purpose that from time to time Council deems necessary or desirable to further control dogs.

The Bylaw is produced as a separate document.

#### **4. CONTROL OF DOGS**

Dogs that are not kept confined and under control on their property, especially in urban areas, can cause annoyance, distress, nuisance and danger to people and be a hazard to road users.

The extent of any nuisance is often related to the number of dogs being kept, the size and nature of the dogs and the size and location of the property on which they are being kept. It is also recognised that many problems occur due to loneliness or boredom.

Dogs that are ill or in season (on heat) can also have a disruptive influence on other dogs.

- 4.1 At all times dogs shall be confined on private property with adequate shelter and in conditions that do not give rise to a nuisance, distress or cause any suffering to the dog or any person.
- 4.2 Council shall impound any dog found at large other than when under proper control, or when the dog is a working dog actively engaged in its purpose, or when the dog is a hunting dog under the effective control of a currently licensed or permitted hunter/shooter who is using the unleashed dog for the immediate purpose of locating and/or retrieving game and who is legally entitled to be in that public place.
- 4.3 If in season (on heat), the dog must be leashed or otherwise restrained at all times.
- 4.4 Dogs on the open tray of any vehicle in a public place must be contained by leash or chain to prevent them leaving the vehicle or snapping at passers-by.
- 4.5 Complaints of dogs attacking and causing serious injury will be referred to the Police.

#### **5. BARKING DOGS**

Continuous barking for long periods of time or at unsociable hours also causes annoyance and nuisance.

- 5.1 No owner of any dog in the District will suffer or permit such a dog to bark in such a manner or for such a period as to be offensive or likely to be injurious to health.
- 5.2 Excessive or persistent barking of dogs is considered a nuisance and complaints will be dealt with after consideration of circumstances and the cause of the barking. Where the nuisance can not be mitigated, the dog may be removed from the property.

#### **6. CARE OF DOGS**

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

*(NOTE: the Bylaw defines the standards for the care and keeping of dogs).*

Animal Control staff are happy to provide advice to new owners.

- 6.1 Dog owners shall be required to keep their dogs in clean, hygienic and waterproof conditions and maintain appropriate facilities for the housing and care of dogs in a good state of repair.
- 6.2 Council may prohibit the keeping of dogs on properties that can result in a nuisance or a health risk being generated.

## **7. Hospital, Breeding and Boarding Kennels**

Council recognises that keeping of dogs can give rise to business opportunities. There will always be a need for dog care centres and boarding establishments for the supply of dogs for pets, breeding and show purposes. These activities can have a detrimental effect on adjoining properties where locations are unwise or facilities and conditions are not adequate.

- 7.1 Dog hospitals and boarding or breeding kennels shall only be established on sites approved by a Resource Consent from Council issued under the Resource Management Act 1991.
- 7.2 The approval of Council shall be subject to such conditions that may be imposed to ensure there are no adverse effects on neighbouring properties.

## **8. Dog Defecation**

Dog excrement harbours disease and parasitic infection as well as being unsightly and unpleasant when deposited in public places or on private property.

- 8.1 Dog owners are required to immediately remove dog faeces from public places or private land not belonging to the dog owner.
- 8.2 This section does not apply to working dogs, hunting dogs being used for the immediate purpose of locating and/or retrieving game, or farm dogs being used to drive stock on roads outside the town boundaries as defined in the District Plan but excluding the roads described in Schedule 2 of the CHBDC Livestock Movement & Animals in Public Places Bylaw [Part 5] 2008 (included as Appendix Five).

## **9. Impounding of Dogs**

Impounded dogs are in breach of the Bylaw and incur a cost to Council in catching, collecting, housing and feeding the dogs and in administration. It is important that impounded dogs are returned to their correct owners as soon as possible and that costs are fully recovered.

The Council relies upon the SPCA to provide for the care and wellbeing of impounded dogs with a payment from Council for such assistance at \$10.00 per day per dog (subject to change).

- 9.1 Any dog in breach of these Policies and Bylaws, may be impounded and held until claimed by the owner, sold or destroyed.
- 9.2 Impounded dogs shall only be released upon payment of registration where applicable, and all other fees and charges generally.
- 9.3 Where a dog is released to a new owner, the new owner is required to pay the cost of registration.
- 9.4 All dogs must be neutered before leaving the pound at the cost of the owner. Dispensation from this requirement may be given at the discretion of Animal Control staff where the dog is registered and the owner holds Responsible Dog Owner status.
- 9.5 It shall be unlawful to remove any dog from the pound or from a Council vehicle without the approval of a Council officer.

## **10. Impounding Fees**

The majority of impoundings are caused by dogs wandering at large. Some are seized following an offence by which seizure is an option. In general, impounding of wandering dogs reflects a lack of responsibility by dog owners and therefore the cost of recovery should lie with the owner of that dog.

Revenue collected will reflect the cost of the time involved in the recovery, the cost of transport, the provision of food, veterinary care, shelter and maintenance of the pound. The charge shall also reflect the imposition of a penalty for a breach of the Bylaw.

The Dog Control Amendment Act 2003 requires that all dogs impounded for a second time must be microchipped (effective from 1 July 2006).

- 10.1 Payment of impounding fees shall normally be required from all dog owners prior to release of a dog from the pound.
- 10.2 The fees shall be set at a level so as not to discourage the retrieval of a dog from the pound.
- 10.3 The fees shall increase to impose a greater penalty element for any subsequent impoundings of that same dog.
- 10.4 No unregistered dog shall be released until payment of registration fees has been made.
- 10.5 Sustainance charges shall be set to recover all the costs of feeding, housing and caring for dogs in the pound.
- 10.6 No dog will be released after a second impounding without the cost of microchipping being recovered effective 1 July 2006.
- 10.7 Impound fees will be used to fund the Dog Control activity.

## **11. Relinquishment of Dogs**

Owners may relinquish possession of a dog by either taking it to a vet or contacting Council, who will make appropriate arrangements for its disposal, either by sale or euthanasia.

However care must be taken with these decisions and owners should be directed to use vets in the first instance.

- 11.1 The Council shall accept at its discretion unwanted dogs for disposal either by sale or euthanasia upon receipt of a Declaration of Release from the owner.

## **12. Dangerous Dogs**

Section 31 of the Dog Control Act 1996 allows the territorial authority to classify dogs as dangerous and this has been further enhanced by the Dog Control Amendment Act 2003.

According to Section 32(e) Council will penalise the owners of such dogs in order to create a regulatory requirement for more responsible ownership and to indicate to the public generally that aggressive or threatening dogs pose a risk to the safety of people or other animals.

- 12.1 Council shall classify dangerous dogs, in accordance with the provisions of the Dog Control Act 1996.

12.2 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.
- c) Comply with the requirements of the Act to keep the dog fenced in, muzzled/caged when in public and have the dog neutered.
- d) Pay a surcharge of 150% on Dog Control fees.
- e) Not dispose of the dog to any other person without Council's written approval.
- f) Advise any person in possession of the dangerous/menacing dog of the requirement to muzzle, cage and leash the dog when in public.
- g) Ensure the dog is microchipped effective 1 July 2006.

### **13. Menacing Dogs**

Section 33A of the Dog Control Amendment Act 2003 allows Council to classify dogs as menacing. Section 33C requires Council must classify the breeds or types listed in Schedule 4 of that Act as menacing.

13.1 Council may classify menacing dogs in accordance with the provisions of the Dog Control Amendment Act 2003.

13.2 The owner of a menacing dog shall:

- a) Be given written notice of the dog's classification in the form prescribed.
- b) Be allowed to object to the classification and be heard.
- c) Comply with the requirements of the Act to keep the dog muzzled/caged when in public and may be required to have the dog neutered.
- d) Advise any person in possession of the menacing dog of the requirement to muzzle/cage the dog when in public.
- e) Ensure that the dog is microchipped (effective 1 July 2006).

13.3 Council must classify dogs belonging to the breed or type listed in Schedule 4 of the Dog Control Amendment Act 2003 (included as Appendix Three in this Policy) as menacing.

### **14. Microchipping**

Section 36A of the Dog Control Amendment Act 2003 requires dogs to be given a permanent means of identification.

Microchipping will ensure 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.

14.1 In accordance with the Dog Control Amendment Act 2003 Council will ensure systems are in place to provide information to the National Dog Control Information Database.

14.2 Any dogs registered for the first time on or after 1 July 2006 will be microchipped.

- 14.3 Dogs classified as dangerous or menacing on or after 1 December 2003 will be microchipped from 1 July 2006.
- 14.4 Any dog impounded for a second time after 1 July 2006 will be microchipped before being released.
- 14.5 Owners of dogs will be given the choice of having their dog microchipped by Council or providing a vet certificate as proof their dog has been microchipped.
- 14.6 A fee will be charged to cover the microchipping and administration costs incurred by Council.

## **15. Special Purpose Dogs**

It is generally recognised that this class of dog pose no 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.

It is also acknowledged that working dogs used for public duties and for assisting people with disabilities pose no real problems. The animals' general demeanour, their housing, location and their use as working animals ensure owner responsibility.

Council recognises that farm dogs and hunting dogs may require less restrictions while herding or driving stock, hunting or training. However, Council regards its Policy as relatively permissive and so relaxing its controls further for farm and hunting dogs would serve little purpose. In addition, Council's fee structure ensures that farm and hunting dogs, which are usually owned by residents outside the Township areas, will enjoy lower registration fees regardless.

- 15.1 Council will promote and encourage access for guide dogs and hearing ear dogs to any public place and registered premises.
- 15.2 In recognition of the value of dogs trained for the public good and where used by people with disabilities the registration fee shall be set to recover as near as practical only the cost of the registration process for those dogs including:
  - Guide Dogs
  - Hearing ear dogs
  - Police Dogs
  - And those kept by the Customs Service, the Ministry of Agriculture, the Ministry of Fisheries, the Ministry of Defence and the Department of Conservation.

## **16. Prohibited Areas**

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.

Dogs are prohibited from the areas listed in Schedule 1.

## **17. Controlled Areas**

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. Constraint via a leash will enable:

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

17.1 Dogs shall only be allowed in the following areas while under continuous control by an effective lead or being carried in a vehicle.

- a) Those areas listed in Schedule 2.

## **18. Off Lead/Exercise Areas**

Owners must ensure that dogs do not cause a nuisance, run amongst traffic and must clear up any dog fouling. It would not be practical or enforceable to require dogs at all times to be under leash control but any dog off a lead must be kept under continual surveillance and be readily at call and under control.

Council also has a legal requirement to have regard to:

- a) Exercise and recreational needs of dogs and their owners.
- b) The need to minimise danger, distress and nuisance to the community generally would be enhanced if areas, specifically where dogs may be exercised at large, were provided for dog owners. This would not only allow dog owners freedom areas but signal to the public generally to expect the presence of dogs in recreational areas.

18.1 The following areas are declared off-lead dog exercise areas:

- a) Private properties with suitable means of containment of the dogs throughout the whole of the Central Hawke's Bay District are declared an off lead area.
- b) The areas listed in Schedule 3.
- c) Any bitch in season (on heat) is to be prohibited from any Off Lead/Exercise Area.

18.2 Owners or those persons in possession of any dog in an off lead/exercise area must carry a lead on them at all times.

## **19. Conservation Controlled Dog Areas or Open Dog Areas**

Section 10 (5) of the Dog Control Act 1996 requires local authorities identify any land within the District that is included in a controlled dog area or open dog area under Section 26ZS of the Conservation Act 1987 and any land included in a national park constituted under the National Parks Act 1980.

19.1 There are currently no open or controlled dog areas in Central Hawke's Bay District as defined under the Conservation Act 1987. However, the Department of Conservation is currently reviewing their own Dog Policies and this situation may change.

19.2 There are no National Parks in the Central Hawke's Bay District.

## **20. Probationary Owners**

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 Act, or other Acts or they commit three or more infringement offences within 24 months. 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.

20.1 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.
- c) Be so classified for 24 months unless terminated earlier.
- d) Not own a dog other than those they already own.
- g) Dispose of any unregistered dog in their possession within fourteen (14) days of notice of classification being given.
- h) Be so classified over the whole of New Zealand.

## **21. Disqualification of Owners**

Section 25 of the Dog Control Act 1996 allows the territorial authority the power to disqualify dog owners from being a dog owner if they are convicted of an offence against this Act or other Acts or commit two infringement notices while they are probationary owners.

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.

21.1 Council shall disqualify dog ownership in accordance with the Dog Control Act 1996. A disqualified owner shall:

- a) Be given notice of their disqualification in the prescribed form.
- b) Be disqualified for a period decided by the territorial authority up to five years.
- c) Be allowed to object to the disqualification and be heard.
- d) Dispose of every dog owned by them and to a person who does not reside with them.
- e) Be so disqualified over the whole New Zealand.



## **22. Responsible Dog Owners**

Owners who can demonstrate knowledge of Dog Control, disease control/prevention, dog care, registration requirements and local Bylaws and have a record of compliance with those matters should be rewarded.

Such reward shall be removed through any irresponsible actions.

22.1 Dog owners who demonstrate that they are responsible owners shall receive a reduction in their registration fees upon application.

22.2 The criteria for being granted Responsible Dog Owner status is included in Appendix Four of this Policy and is based on:

- Knowledge of safe dog feeding requirements.
- Full control of the dog at all times.
- Provision of sufficient food, water and shelter.
- Containment of the dog on the owner's property by proper fencing.
- Providing the dog with adequate exercise.

22.3 The reduction shall be available only to the dog owner and shall be valid as long as there is no cause for Council to revoke it.

22.4 Disqualification from receiving the reduced registration fees shall occur if the dog owner is convicted of any offence against the Dog Control Act 1996, against the Bylaws on payment of any infringement fee or if the dog owner's dog is impounded on at least one occasion or is the cause of more than two justified complaint investigations in any registration year.

22.4 Owners may only be reinstated to this scheme at the discretion of Animal Control staff.

22.5 The fee for the Responsible Dog Owner licence scheme shall cover all registration and material costs incurred by Council.

## **23. Limitation on Number of Dogs**

23.1 No more than two dogs over the age of three months may be housed on an individual property other than in rural areas. This number may only be exceeded with the written consent of Council. Please refer to Section 21 of this Policy.

## **24. Licensing of Additional Dogs**

Owners in the Town or Township areas who can demonstrate they are Responsible Dog Owners, and where immediate neighbours grant consent, should be granted the opportunity to keep more than two dogs.

24.1 No person shall keep more than two dogs on any property in the Town or Township areas of the District without the prior written consent of the Council.

24.2 The consent of the Council will be dependent upon:

- a) That person being a Responsible Dog Owner.
- b) Obtaining consent from immediate neighbours.

## **25. Registration Fees**

The basic Registration Fee shall be calculated to provide sufficient revenue to fund the service after taking into account all other income and likely concessions.

Because a great deal of the work generated for the Animal Control staff occurs in town areas, it is considered fair and reasonable that a greater cost is carried by town dog owners.

The 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.

25.1 Dog Registration Fees shall be set so that Responsible Dog Owners may be rewarded with concessions funded from penalties imposed on irresponsible owners.

25.2 The Dog Registration Fee will reflect the areas where the work is being generated for the Animal Control staff.

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

25.4 A discount scheme will be provided for those owners who pay on time.

25.5 A penalty will be incurred by those owners who are late registering their dogs.

25.6 Fees are set and reviewed annually in the CHBDC LTCCP Appendix 1: Schedule of Fees and Charges.

25.7 Registration Fees will be used to fund the Dog Control activity.

## **26. Other Charges**

The Dog Control Act 1996 sets out procedures for replacement tags and requires territorial authorities to have for sale a supply of collars. The costs of these materials to Council shall be fully recovered.

26.1 Fees and charges not specifically provided for shall be set to recover all the costs reasonably associated with the article or time and materials provided by Council.

26.2 Other charges are set and reviewed annually in the CHBDC LTCCP Appendix 1: Schedule of Fees and Charges

## **27. Infringement Notices**

An infringement notice like a parking ticket is an instant fine and if paid within a certain period of time avoids court procedures.

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 (included as Appendix Two of this Policy).

Failure to comply with an infringement notice can lead to court proceedings. The advantage of the infringement notice system is fixed fines. This also allows for the withdrawal of the notice at the discretion of the officers. Direct action with an offender cuts down on the use of legal advisors and all the infringement fees are retained by Council.

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

27.2 Infringement fees will be used to fund the Dog Control activity.

## **28. Owner and Public Education**

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

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.

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

28.2 At present there is a dog obedience course in Waipukurau and Council advocates attendance at these courses for new dog owners and owners of problem dogs.

## **29. Complaints**

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 event to Council officers and to expect action to be taken in a consistent and effective manner.

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

29.1 Council will have established procedures to enable the public to lay complaints regarding dog behaviour. Refer to Council's Compliments and Complaints Policy.

## **30. Annual Report on Dog Control Policy and Practices**

Dog control matters are of interest to both dog owners and the general public. Indeed, Dog Control is one of the most contentious matters that staff deal with on a day-to-day basis.

Council has a responsibility to keep the public informed of Dog Control issues and Section 10A of the Dog Control Amendment Act 2003 establishes the process by which this occurs.

30.1 Council is required to report at the end of each financial year on the administration of its Dog Control Policy and practices.

30.2 A copy of the report will be sent to the Secretary for Local Government.

30.3 The report must include the following information:

- i) The number of dogs registered in the district.
- ii) The number of probationary owners and disqualified owners in the District.
- iii) The number of dogs in the District classified as dangerous and menacing.
- iv) The number of infringement notices issued.
- v) The number of complaints received.
- vi) The number of prosecutions taken.

### **31. Policy Review**

The Dog Control Policy may be reviewed at any time in accordance with the requirements on Section 10 of the Dog Control Act 1996 and Section 83 of the Local Government Act 2002.

In addition, if any review results in changes being made to the existing Policy and results in any existing Bylaw becoming inconsistent with the Policy, such Dog Control Bylaws will be repealed or amended within sixty (60) days of the Policy being adopted.

The adoption of a Dog Control Policy or amended Dog Control Policy according to Section 10 of the Dog Control Act 1996 satisfies the requirements of Sections 86, 155, and 156 (1) of the Local Government Act 2002 in respect of any Dog Control Bylaw enacted in this manner.

## **SCHEDULE 1 - PROHIBITED AREAS**

1. The following reserves:
  - a) Nelly Jull Park
  - b) Loten Park, Waipawa
  - c) Charlotte Street Playground, Takapau
  - d) A'Deane Park, Waipukurau
  - e) Moncktons Bush Scenic Reserve
  - f) A'Deanes Bush Scenic Reserve
  - g) Inglis Bush Scenic Reserve
  - h) Elsthorpe Scenic Reserve
  - i) Springhill Scenic Reserve
  - j) Paterson Bush Scenic Reserve
  - k) McLeans Scenic Reserve
  - l) Matai Moana, Hiranui Scenic Reserve
  - m) Matai Moana, Bush Road Scenic Reserve
  - n) Mangatewai No 1 Scenic Reserve
  - o) Mangatewai No 2 Scenic Reserve
2. Any public campsite except where the prior written permission of the owner/custodian is obtained by the dog owner.
3. Within the immediate confines of the entrance to public halls and public swimming pools.
4. Within 50 metres north and south of the memorial seat at Kairakau Beach, the changing sheds at Pourerere Beach and the public toilets situated in the day carpark at Te Paerahi Beach (Porangahau)\*. This prohibition will only apply between the hours of 8.00 am to 6.00 pm on each and every day in the consecutive months of December, January and February each summer.

\*At Te Paerahi Beach the prohibition does not apply to defined public accessways through the area provided that no dog is in breach of the other provisions of this Policy.
5. Central Hawke's Bay District Council Administration Building.
6. Public Libraries.
7. Public Swimming Pools and Paddling Pools.
8. Children's playing areas under the control of the Central Hawke's Bay District Council.
9. Any other area as Council deems necessary and which will be publicly notified and marked accordingly.

## SCHEDULE 2 - CONTROLLED AREAS

1. In any cemetery.
2. In the following retail shopping areas (as defined on the District Plan maps).
  - (a) Waipawa, on the west side of High Street including Centrecourt.
  - (b) Waipukurau, both sides of Ruataniwha Street from Railway Esplanade to Bishops Dental Surgery, and the block of streets defined by Ruataniwha, Northumberland, Russell and Herbert Streets and from Ruataniwha Street up Kitchener Street to the Waipukurau Library.
3. All public car parks.
4. All public reserves and parts of parks and reserves under the control of Council, which are neither prohibited areas, off lead areas or exercise areas.
5. All that area of beach and foreshore between the hours of 8am and 6pm each day of the months of December – January – February as follows:

**Kairakau** - 50 metres north of the memorial seat to the southern end of Kairakau camp. All defecation must be removed. All dogs must be kept under continuous effective control - that is on a leash at all times.

**Pourerere** - Within 50 metres north and south of the changing sheds. All defecation must be removed. All dogs must be kept under continuous effective control - that is on a leash at all times.

**Porangahau** - Within 50 metres north and south of the public toilets situated in the day car park at Te Paerahi beach. All defecation must be removed. All dogs must be kept under continuous effective control - that is on a leash at all times.

### **SCHEDULE 3 - OFF LEAD/EXERCISE AREAS**

1. The stopbanks and river areas of the Tuki Tuki and Waipawa Rivers adjacent to the Towns of Waipukurau and Waipawa respectively as defined on District Plan maps are declared as off lead exercise areas.
2. The eastern unfenced part of Coronation Park is declared an off lead exercise area while it is not used for any organised activity (sporting or otherwise).
3. All public places within the District outside the town boundaries as defined in the District Plan, excluding all public playgrounds, reserves administered by the Department of Conservation (as a permit may be required for access), and all other areas specifically prohibited by this Policy.
4. Any such public places, specifically identified by Council, will be notified to the public, and marked accordingly.

## APPENDIX TWO

### DOG CONTROL ACT 1996

#### SCHEDULE 1

#### INFRINGMENT OFFENCES AND FEES

<b>Section</b>	<b>Brief description of offence</b>	<b>Infringement fee (\$)</b>
s 18	Wilful obstruction of Dog Control Officer or Ranger	750
s 19(2)	Failure or refusal to supply information or wilfully providing false particulars	750
s 19A(2)	Failure to supply information or wilfully providing false particulars about dog	750
s 20(5)	Failure to comply with any Bylaw authorised by Section 20	300
s 23A(2)	Failure to undertake do owner education programme or dog obedience course (or both)	300
s 24	Failure to comply with obligations of probationary owner	750
s 28(5)	Failure to comply with effects of disqualification	750
s 32(2)	Failure to comply with effects of classification of dog as dangerous dog	300
s 32(4)	Fraudulent sale or transfer of dangerous dog	500
s 33EC(1)	Failure to comply with effects of classification of dog as menacing dog	300
s 33F(3)	Failure to advise person of muzzle and leashing requirements	100
s 36A(6)	Failure to implant microchip transponder in dog	300
s 41	False statement relating to dog registration	750
s 41A	Falsely notifying death of dog	750
s 42	Failure to register dog	300
s 46(4)	Fraudulent procurement or attempt to procure replacement dog registration label or disc	500
s 48(3)	Failure to advise change of ownership	100
s 49(4)	Failure to advise change of address	100
s 51(1)	Removal, swapping or counterfeiting of registration label or disc	500
s 52A	Failure to keep dog controlled or confined	200
s 53(1)	Failure to keep dog under control	200
s 54(2)	Failure to provide proper care and attention, to supply proper and sufficient food, water, and shelter, and to provide adequate exercise	300
s 54A	Failure to carry leash in public	100
s 55(7)	Failure to comply with barking dog abatement notice	200
s 62(4)	Allowing dogs known to be dangerous to be at large unmuzzled or unleashed	300
s 62(5)	Failure to advise of muzzle and leashing requirements	100
s 72(2)	Releasing dog from custody	750



# **APPENDIX THREE**

## **DOG CONTROL ACT 1996**

### **SCHEDULE 4**

#### **BREED AND TYPE OF DOG SUBJECT TO BAN ON IMPORTATION AND MUZZLING**

##### **Part 1 Breed of Dog**

Brazilian Fila

Dogo Argentino

Japanese Tosa

##### **Part 2 Type of Dog**

American Pit Bull Terrier

## APPENDIX FOUR

### CRITERIA FOR CLASSIFICATION AS RESPONSIBLE DOG OWNER

Dog owners must apply to be considered for Responsible Dog Owner status. The applicant must sign an application form stating they have and will continue to meet the following conditions and requirements listed below:

1. Applicants must have resided in the District and their dog(s) must have been registered in the District for 12 months prior to making an application.
2. The applicant's property is suitably fenced and gated to ensure it is dog proof. Dog free access to a door of the dwelling is provided for authorised callers. (Council reserves the right to carry out random property inspections to ensure compliance).
3. All dog(s) owned or kept by the applicant will be registered in accordance with the Dog Control legislation, and kept and controlled in accordance with current Council Bylaws.
4. The applicant understands that any breach of the above conditions will lead to the immediate cancellation of privileges under this Policy.
5. Any change of residential address within the District shall be notified in writing to the Council.
6. All faecal matter deposited by the applicant's dog(s) in any public place, or on any land other than that occupied by the applicant will be immediately removed and deposited in a suitable receptacle.
7. Have proof of the ability to be capable of keeping effective control of their dog(s) at all times e.g. a certificate from a dog obedience school or pass a practical test undertaken by the Dog Control Officer.
8. Will adhere to the requirements of the Dog Owner's Manual in respect to feeding, shelter and exercise.

Note: Applications must be received and approved prior to 30 May in any year to enable the successful applicant to gain Responsible Dog Owner Status for the licensing year commencing 1 July.

## **APPENDIX FIVE**

### **STOCK ROUTES**

All roads and streets within the areas in Waipukurau and Waipawa zoned 'Residential', 'Business 1' and 'Business 2'.

In the township of Takapau all that area of Charlotte Street between the southern side of Meta Street and a point 50 metres south of the Takapau Hotel.