

the control of dogs

in our district

Objectives

- Provide for the exercise and recreational needs of dogs and their owners.
- Minimise the risk of dogs attacking or intimidating people.
- Prevent uncontrolled dogs entering children's play areas.
- Minimise the possibility of danger, distress and nuisance caused by dogs.

Principles

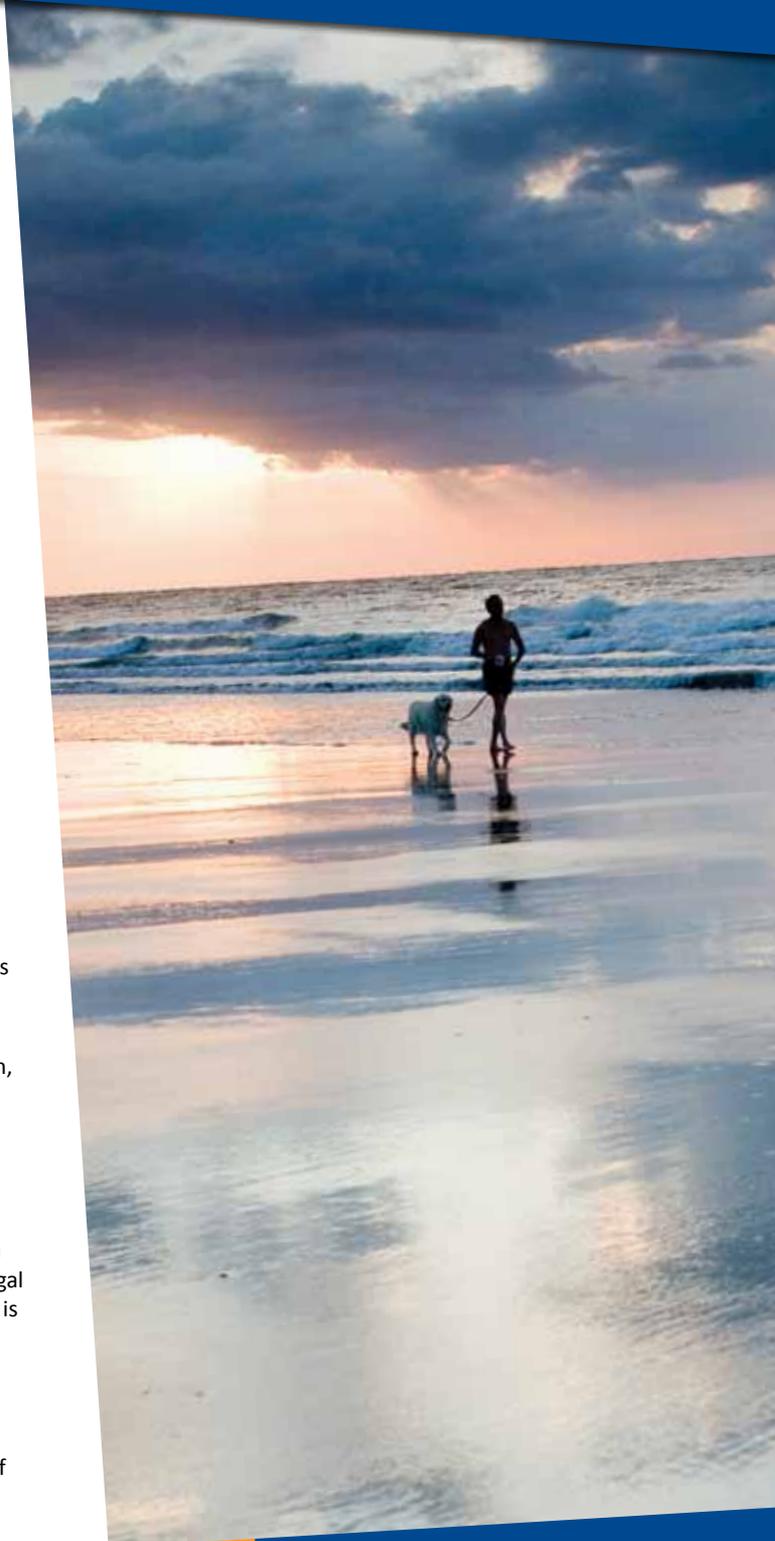
- Whakatāne District Council places a high priority on ensuring that dogs are registered.
- Whakatāne District Council recognises that a large majority of dog owners are very responsible, and as a result, the interaction between dogs and the public is generally positive.
- Dogs need the ability to exercise unrestrained and within a social setting. Designated dog exercise areas are provided for that purpose throughout the district.
- At all times in those areas, dog owners are encouraged to act responsibly, evaluate the circumstances and to take all reasonable steps to ensure that their dogs do not cause a nuisance.
- Whakatāne District Council believes that conflicts can be resolved and managed in a way that protects the public, manages the pet population, prevents cruelty to animals and balances the interests of the community.

Background

The Dog Control Amendment Act 2003 requires Council to have a policy on dog control practices in our district. The Dog Control Bylaw provides the legal powers required to implement the Dog Control Policy and determine what is considered to be an offence.

Disclaimer

The information contained in this document has been simplified for ease of understanding. If you require a copy of the adopted Dog Policy and Bylaw, please contact Whakatāne District Council.



WHAT YOU NEED TO KNOW...

Dog registration

- All dogs are required to be registered by the age of three (3) months. All new dogs purchased or acquired must be registered immediately.
- Dog registration renewal is required before 1 July every year. If you keep an unregistered dog, you are committing an offence, even if you are not the 'owner' of the dog.
- A dog not wearing a current registration label or disc is considered by law to be unregistered until it is proven otherwise.
- An unregistered dog can be seized from the keeper.
- You are committing an offence if your dog is found wearing a registration label or disc issued to another dog.
- You must provide your date of birth when registering your dog. This helps to distinguish you from someone else with the same name.

Registration fees for the 2014/2015 year

Dog registration fees are set by Council resolution. Dog registration fees, fines and impound fees are used to fund dog control.

Owners who register their dogs on or before 1 August 2014 will be charged a discounted fee. Registrations paid after 1 August 2014 will be charged at the full fee.

DESCRIPTION:

Discounted fee for desexed dogs	\$50.00
Discounted fee for entire dogs	\$60.00
Full fee for desexed dogs	\$75.00
Full fee for entire dogs	\$90.00
Certified companion, hearing or guide dog fee	\$5.00

NOTE: For dogs reaching three months old during the year, a part registration fee is payable.

IMPOUNDING FEES

First impounding	\$60.00
Second impounding	\$90.00
Third impounding	\$120.00
Daily sustenance fee	\$7.50
Re-homing fee	\$24.50
Additional fee of actual costs incurred for any dog impounded between 5pm and 8am.	

MISCELLANEOUS FEES

Euthanising of a dog	\$30.00
Replacement registration tag	\$2.00
Micro-chipping fee (at owner's request)	\$15.00

Micro-chipping

Since 1 July 2006, except for working dogs, every dog being registered for the first time must be implanted with a functioning micro-chip transponder.



Infringements

The following infringement offences are set by the Dog Control Act 1996 and place certain obligations on dog owners. Council has no discretion to alter these fees.

OFFENCE	PENALTY
Wilful obstruction of a Dog Control Officer	\$750
Failure or refusal to supply information or wilfully providing false particulars	\$750
Failure to supply information or wilfully providing false particulars about a dog	\$750
Failure to comply with any Dog Control Bylaw	\$300
Failure to undertake obedience training	\$300
Failure to comply with probationary owner obligations	\$750
Failure to comply with the effects of disqualification	\$750
Failure to comply with the requirements of a dangerous dog classification	\$300
Fraudulent sale or transfer of a dangerous dog	\$500
Failure to comply with the requirements of a menacing classification	\$300
Failure to advise any person of muzzle and leashing requirements	\$100
Failure to implant a microchip transponder in dog	\$300
A false statement relating to dog registration	\$750
False notification of the death of a dog	\$750
Failure to register a dog	\$300
Fraudulent procurement or attempt to procure a replacement dog registration label or disc	\$500
Failure to advise a change of dog ownership	\$100
Failure to advise a change of address	\$100
Removal, swapping or counterfeiting of a registration label/ disc	\$500
Failure to keep a dog controlled or confined on private land	\$200
Failure to keep a dog under control	\$200
Failure to provide proper care and attention, or supply proper and sufficient food, water, shelter or adequate exercise	\$300
Failure to carry a leash in public	\$100
Failure to comply with a barking dog abatement notice	\$200
Allowing a dog known to be dangerous to be at large, unmuzzled or unleashed	\$300
Releasing a dog from custody	\$750

Unsuccessful defences for having an unregistered dog

These defences will not prevent you from being charged if you have an unregistered dog in your care:

- It's not my dog - any person who keeps the dog or has the dog in their care commits the offence.
- I didn't think the dog was going to live through the year because it is very old or sick - you are still required to register the dog. You are entitled to a refund should the dog die.
- I couldn't afford the registration fee - you can't afford not to register your dog, the penalties are too high. Dog registration is a cost associated with dog ownership.
- I thought dogs were required to be registered at 6 months of age. Dogs have always been required to be registered at 3 months of age. It is your responsibility to know your obligations
- I didn't receive an invoice from Council - although Council sends out an invoice, it is not required to. Even if you don't receive an invoice, it is still your responsibility to ensure that your dog is registered. Council has no control over the post.



The Dog Control Act, the Dog Control Policy and the Dog Control Bylaw cover separate requirements, as identified in the columns below:

Dog Control Act covers:

- Dog registration
- Probationary dog owners
- Disqualification of dog owners
- Prohibiting the importing of certain dog breeds
- Dangerous dogs
- Menacing dogs
- Micro-chipping
- Obligations of dog owners to provide food, water, shelter and adequate exercise for their dogs
- Control of dogs on private property
- Barking dogs
- Dogs causing serious injury
- Dogs worrying stock or domestic animals
- Dogs attacking protected wildlife
- Seizure of dogs and impounding of uncontrolled dogs
- Destruction of dogs, infringement offences and levels of fines
- Custody of impounded dogs.

Dog Control Bylaw covers:

- Specific dog prohibited areas
- Dog leash control areas
- Specified dog exercise areas
- Standards for the accommodation of dogs
- The number of dogs which can be kept on private property
- Dog fouling offences
- Other aspects of dog control considered desirable, but not covered by the Dog Control Act
- Neutering of uncontrolled dogs
- The keeping and control of dogs in season.

Dog Control Policy covers:

- Criteria for evaluating dog prohibited areas
- General dog leashing principles
- Dog exercise principles
- Dog education principles
- Fee structures
- Dog hygiene initiatives
- Enforcement principles.



Keeping of dogs

"Owner" means the person in control of a dog (whether or not that person is the registered owner), or the parent or guardian of a person under the age of 16 who is in control of the dog.

Any person who is the owner of any dog or the owner or occupier of any premises where dogs are customarily kept, commits an offence if they fail to:

- take adequate precautions to prevent the dog or dogs, or the keeping thereof, from becoming a nuisance, or injurious to health; and
- keep every bitch in season continuously confined while it is in that condition.

If, in the opinion of the Council, the dog or dogs or the keeping of dogs on any premises has become, or is likely to become, a nuisance or injurious to health, the Council (or any person duly authorised on behalf of the Council) may provide written notice, requiring the owner or occupier of the premises to:

- take such action as the Council deems necessary to minimise or remove the likelihood of nuisance or injury to health, within the time specified in the notice.

Leash control

"Leash control" means the dog is attached to a leash and is held by a person physically capable of restraining the dog.

"Road" means the land between property boundaries, including footpaths, roadways and grass verges.

A dog must be under 'leash control' when:

- Causing or likely to cause danger, distress or nuisance.
- On any footpath or within a road reserve or State Highway.
- On any public place except a designated exercise area.

To comply with this requirement, dog owners must carry a leash at all times.

Fear of attack or intimidation

All complaints of aggression are investigated. Complaints of dog attacks causing serious injury are referred to the Police.

Control of dogs and impounding

"Impound" means in a public pound or any vehicle used to transport dogs to a public pound. Uncontrolled dogs will be impounded where appropriate.

Owners of dogs not being kept under proper control may be issued with infringement notices.

Dog owners must remove dog droppings deposited in any public place.

Dog owners are encouraged to carry bags for this purpose and dispose of droppings responsibly.



Dog restriction areas by region

The following are areas where dogs are restricted or prohibited (except when in a vehicle). Dogs are **not permitted** to enter the following public places within the district.

WHAKATĀNE TOWNSHIP

Playgrounds: Appenzell Drive Playground, Escarpment including Waiewe St Playground, Eve Rimmer Playground, Farnsworth Cres Playground, King St Reserve Playground, Kirk St Playground, Mananui Playground, Ocean Playground, Rex Morpeth Park Playground, Rose Gardens Playground, Sullivan Lake Playground, The Heads Playground, Thompson Cres Playground, Warren Park Playground.

Cemeteries: Domain Rd Cemetery, Hillcrest Cemetery.

Tennis Courts: Otara-wairere Tennis Court, Rex Morpeth Park Tennis Courts

Reserves: Awatapu Lagoon (Riding for the Disabled), Kohi Pt, Mokorua Bush Scenic Reserve, Paru Site, Peace Park Reserve, Piripai Spit - Opihi Urupa, Wairere Falls, Skateboard Park.

Netball Courts: Eve Rimmer Netball courts.

Observatory, Aquatic Centre.

COASTLANDS

Reserves: Alpha Ave Playground Reserve, Fishermans Drive Reserve.

EDGE CUMBE

Playgrounds: Bill Orr Park, Puriri Cres Playground, Riverslea Playground.

MATATĀ

Reserves: Kaokaoroa Scenic Reserve, Matatā Recreation Reserve, Playground Reserve

Cemeteries: Rangitihī Cemetery.

MURUPARA

Reserves: Rimu Road Reserve, Service Centre Reserve.

ŌHOPE

Playgrounds: Mahy Reserve Playground, Maraetotara Playground, Otāo South Playground, Pacific Park

Tennis Courts: Wharekura Reserve Tennis Court

Reserves: Ōhope Scenic Reserve, Ōhope Spit Reserve (DOC land), Tauwhare Pa Scenic Reserve.

TĀNEATUA

Reserves: Amokura Road Reserve, Howell Road Plantation, Jack Knowles Reserve, Morrison Road Reserve, Tāneatua Domain.

Pony Club: Mitchell Park Pony Club.

TE MAHOE

Playground: Te Mahoe Playground.

WAIMANA

Memorials: Waimana War Memorial Hall.



Dog exercise areas by region

Dogs may be exercised on the following public places of the district provided they are kept under the continued control of the person responsible for them:

WHAKATĀNE TOWNSHIP

Parks: Awatapu Park, Mitchell Park, Red Conway Park, Rex Morpeth Park, River Edge Park, Rugby Park, Warren Park

Reserves: Athletic Domain, Awatapu Lagoon, Eivers Road Reserve, Eleanor Place Reserve, Hinemoa Glade, King Street Reserve, Mataatua Reserve, Otara-wairere Tennis Courts Reserve, Peace Street Drainage Reserve, Pohutu Reserve, Strand Canal, Valley Road Escarpment, Valley Road Plantation, Waiewe Drainage Reserve.

Beach: Piripai.

Sportsfields: Eve Rimmer Sportsfield.

COASTLANDS

Beach: Coastlands Beachfront.

EDGE CUMBE

Reserves: College Road Reserve, Edgumbe Domain, Kanuka Park, Konini Place Reserve, Main Street Reserve, Puriri Cres Reserve.

MATATĀ

Parks: Richmond Park

Beach: Matatā Beachfront.

MURUPARA

Reserves: Evans Park, Fire Station Reserve, Miro Drive Reserve, Ngatimanawa Road Reserve, River Edge Reserve, Taniwha Park/Roy Hardy Reserve, Wingate Park.

ŌHOPE

Beach: Ocean Road Beachfront, Pohutukawa Ave Beachfront, West End Beachfront

Parks: Bluett Park.

Reserves: Esplanade Reserve, Local Purpose Reserve, Maraetotara Reserve, Otāo South Reserve, Waiotahi / Waimana Reserve, Wharekura Reserve.

TĀNEATUA

Reserves: Amokura Road Reserve, Howell Road Reserve, McKenzie Street Reserve, Mitchell Park Reserve, Rob Shaw Park.

TE MAHOE

Tennis Courts: Te Mahoe Tennis Courts.

WAIMANA

Domain: Waimana Domain.