



# RUAPEHU DISTRICT COUNCIL

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## Ruapehu District Council Dog Control Policy 2007





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**RUAPEHU DISTRICT COUNCIL DOG CONTROL POLICY ADOPTED PURSUANT TO  
SECTION 10 OF THE DOG CONTROL ACT 1996**

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## 1.0 LEGISLATIVE REQUIREMENTS

- 1.1 The Ruapehu District Council has prepared this Policy in accordance with the requirement of the Dog Control Act 1996. Council has also made Dog Control Bylaws in terms of section 20 of the Dog Control Act 1996. The Dog Control Bylaws form Part A of the Animal Control Bylaws and give effect to the Policy.
- 1.2 For the purposes of section 36(5)(b) of the Dog Control Act Council will supply every dog owner from whom it receives an application form with a copy of the policy for the time being in force under section 10 of the Dog Control Act 1996.

## 2.0 OBJECTIVES

- 2.1 Council is seeking to promote a high standard of dog control and dog care so that people can enjoy the benefits of dog ownership without adversely affecting other members of the public. At the same time Council is seeking to ensure that the reasonable needs of dogs are met.

## 3.0 OWNERS

- 3.1 **Owner**, in relation to any dog, means every person who:
- (a) Owns the dog; or
  - (b) Has the dog in their possession, whether the dog is at large or confined for a period longer than 72 hours.
  - (c) If the owner of the dog is under 16 years of age, then the parent or guardian of that person is responsible for the dog's registration and actions.

## 3.2 The Obligations of Dog Owners are Defined as Follows:

- To ensure that the dog is registered, as required by law and to notify Council of any change of address or ownership.
- To keep the dog under control at all times.
- To supply the dog with proper care and attention and have sufficient food, water and shelter.
- To ensure that the dog has adequate and regular exercise.
- To ensure that the dog does not cause a nuisance to any other person, whether by persistent and loud barking or howling or by any other means.
- To take reasonable steps to ensure that the dog does not injure, endanger, or cause distress to any person.
- To ensure that the dog does not injure, endanger, or cause distress to any stock, poultry, domestic animal or protected wildlife.
- To take all reasonable steps to ensure the dog does not damage or endanger any property belonging to any person.
- To comply with the requirements of the Dog Control Act 1996 and all regulations and bylaws of the Ruapehu District Council.



### **3.3 The Owner Must Advise The Ruapehu District Council**

- If the dog dies.
- If ownership of the dog changes.
- If the dog leaves the district.
- If the owner has a change of address.

### **3.4 Owner Classifications**

#### **(a) Selected Owner**

- i A Selected Owner is a classification assigned to owners who meet the following conditions:
  - 1 Compliance with Dog Control Act 1996 and Council's Animal Control Bylaw,
  - 2 Own dog(s), all of which are registered by due date,
  - 3 Have no history of complaints or impounding over the past 12 months period.
  - 4 Own dog(s) kept under control at all times,
- ii Failure to comply with the above conditions may result in Selected Owners losing their classification for a minimum of two registration years. The above criteria will apply for reinstatement of a selected owner classification following this two-year period.
- iii Owners must apply by 31 March of the year previous to which the Selected Owner Policy will apply. Applications must be accompanied by the requisite application fee (see Fees and Charges Manual).

#### **(b) Probationary Owners and Disqualified Owners**

- i Probationary owners and disqualified owners classifications are pursuant to Section 25 of the Dog Control Act 1996 read in conjunction with Section 21.
- ii A probationary owner classification will be imposed where transgression of the Dog Control Act 1996 are deemed by Council or Customer Services Manager to be of a less serious nature.
- iii A disqualified owner classification will be imposed where transgression of the Dog Control Act 1996 are deemed by Council or Customer Services Manager to be of a more serious nature.

### **3.5 Owner Education Programmes And Dog Obedience Courses**

Encouragement will be given to dog training and obedience clubs that operate within the Ruapehu District. Owners whose dogs come to the attention of Council through nuisance behaviour or which are classified as probationary, may be directed to these organisations for training and rehabilitation.



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## 4.0 DOGS IN PUBLIC PLACES

### 4.1 (a) **General Public Places**

An owner or the person responsible or having custody or in control of the dog must use a leash at all times whilst with a dog in a public place, apart from those areas listed as Dog Prohibited Areas or Dog Exercise Areas. The owner or the person in charge shall keep that dog under control at all times. This excludes Working Dogs (refer to definitions as listed in the Bylaw) whilst they are working, if those dogs are not normally restrained in the course of their specific work.

### (b) **Dog Prohibited Areas**

i No dogs shall be permitted to enter into the following areas in the Ruapehu District:

- All Council Sports Fields, all Council hard courts, all Council swimming pool areas and within 10 meters of all Council playgrounds.

#### **Taumarunui Dog prohibited Areas**

- Hakiaha Street between the New World carpark and Hikaia Street along with all side roads extending to Miriama Street.

#### **Raetihi**

- Seddon Street from State Highway 4 (Parapara Road) to Ballance Street.

#### **Ohakune**

- Goldfinch Street from Clyde Street (State Highway 49) to Ayr Street.
- Clyde Street between Moore Street and Arawa Street.

#### **Ruatiti Domain**

- Between 30 November and 30 April.

ii No person owning a dog or responsible for a dog shall permit that dog to enter or remain in any Dog Prohibited Area, whether the dog is under control or not, with the exception of Working Dogs (refer to definitions) whilst they are working if those dogs are not normally restrained in the course of their specific work.

### (c) **Dog Exercise Areas** (refer to schedule 2)

Dog Exercise Areas are those defined by resolution of Council from time to time.

### (d) **Conservation and Wildlife Areas** (refer to schedule 1)

The different policies around dogs in conservation areas are described in Schedule 1 attached to this document.



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## 5.0 GENERAL

### 5.1 Menacing Dogs

All dogs classified as menacing dogs and dogs classified by other Local Authorities as menacing dogs and registered with the Council, will not be required to be neutered unless the Council, or Manager Customer Services, considers that the dog may pose a threat to any person, stock, poultry, domestic animal or protected wildlife because of:

- (a) Any observed or reported behaviour of the dog; or
- (b) Any characteristics typically associated with the dog's breed or type.

### 5.2 Enforcement

- (a) Dog owners who contravene the Dog Control Act 1996 or a Council Bylaw are liable to enforcement action. This may include summary proceedings (Court action), or an infringement notice (instant fine). The Dog Control Act 1996 provides for a series of infringement offences with accompanying fees. Enforcement action will be undertaken where offences occur. Such action could include probationary ownership and in certain circumstances disqualification from ownership.
- (b) This Policy should be read in conjunction with the Description of Infringement Column. There are a series of offences for which Dog Control Officers can issue infringement notices, or Council can proceed by way of prosecution. These are detailed in Schedule 1 of the Dog Control Act 1996.

### 5.3 Registration and Other Fees

- (a) The key to effective dog control is responsible ownership. Council seeks to achieve this through a registration fee schedule that rewards good owners with incentives. Conversely, appropriate penalties are imposed upon irresponsible dog owners. Council sets registration fees and other under Section 37 of the Dog Control Act 1996 and records them in the Fees and Charges Manual.
- (b) The fees are differentiated according to the classification of dogs as Working Dogs, Domestic Dogs, or Dangerous Dogs (refer to definitions).

### 5.4 Keeping of more than two dogs

- (a) Except in areas zoned for rural or low residential use in the Ruapehu District Plan no person shall keep or permit to be kept on each separate premises more than two dogs of a greater age of three months except with a licence issued by Ruapehu District Council.
- (b) The maximum number of dogs allowed under the licence is four with exceptions to be considered by Council's Policy Committee on a case-by-case basis.
- (c) An application fee for a licence applies and is in the Council's Fees and Charges manual.
- (d) The licence shall be issued subject to the applicant meeting the following criteria:
  - (i) must have the physical suitability of land to hold more than two dogs;
  - (ii) must meet the Selected Policy Owner's criteria;



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- (iii) must have the written approval of neighbours on all sides of the applicant's property;
  - (iv) must meet such terms or special conditions the inspecting officer may attach to any licence.
  - (e) When owners and dogs change address, a new application must be submitted for the new address.



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## SCHEDULE 1

### CONSERVATION AND WILDLIFE AREAS

- (a) Legislation under the Dog Control Act 1996 gives Dog Control Officers the powers to deal with dogs that attack and/or otherwise cause disturbance or threat to protected wildlife. Fines range to \$20,000 and may include up to three years imprisonment (Section 58, Dog control Act 1996)
- (b) Dog Control Officers have the authority to:
  - i Seize any dog referred to in (a) above and if that is not practicable the dog may be destroyed forthwith.
  - ii Prosecute the owner if necessary.

### Control Of Dogs In Department Of Conservation Areas

Controls are to be those set by that governing body. Dog Control Officers may assist when requested.

### Department Of Conservation Reserves And Areas

The Ruapehu District contains parts of three conservatories, namely the Waikato, Tongariro/Taupo and Wanganui. Any land administered by the Department of Conservation may be declared a Controlled Dog Area or an Open Dog Area. These areas, along with any National Parks within the Ruapehu District, are required by Section 10(5)(a)(i and ii) of the Dog Control Act 1996 to be identified in this Section.

### National Parks

No dogs are allowed in National Parks. The following National Parks (or parts thereof) are found within the Ruapehu District:

- (a) Tongariro National Park
- (b) Whanganui National Park (part)

### Forest Parks and Scenic Reserves

- (a) These are those areas where dogs shall not be taken or allowed to enter unless provided with a Dog Control Permit, which states the activity and purposes for which it is issued. The Department shall not issue a permit unless they are satisfied that the dog is:
  - i essential for proposed activities
  - ii lawful
  - iii consistent with the purpose for which the land is held
- (b) A permit is not required for a guide dog or companion dog.
  - i "Guide Dog" means a dog certified by the Royal New Zealand Foundation for the Blind as being a guide dog or a dog under training as a guide dog
  - ii "Companion Dog" means a dog certified by the Top Dog Companion Trust as being a companion dog or a dog under training as a companion dog.
- (c) Any dog found in a Controlled Dog Area without a permit may be seized, and if that is not practicable the dog may be destroyed forthwith.



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- (d) The penalty for allowing a dog to enter a Controlled Dog Area without a permit or failing to control a dog in a Controlled Dog Area or an Open Dog Area is a maximum of \$10,000 or a term of imprisonment not exceeding 12 months. (Section 26zzp of the Conservation Act 1987) If any protected wildlife has been injured by the dog, that dog shall be destroyed.
  - (e) The Department of Conservation are presently drawing up a Schedule of Controlled Dog Areas, which, once gazetted, will be identified in this Policy.

### **Open Dog Areas**

- (a) The Department of Conservation is currently considering discussion documents for the Conservancies and advise where an area is publicly accessible and highly used and the area is not in conflict with wildlife and other issues, then it is likely to be an Open Dog Area.
- (b) The Department of Conservation are presently drawing up a Schedule of Open Dog Areas that, once gazetted, will be identified in this Policy.



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## SCHEDULE 2

### DOG EXERCISE AREAS

#### General Controls

(a) **Restraint**

Under the Dog Control Act 1996 (section 5 (1) (b)) it is the obligation of dog owners to 'ensure that the dog is under control at all times' and (e) 'to take all reasonable steps to ensure that the dog does not cause a nuisance to any other person, whether by persistent and loud barking, or howling or by any other means'. If the dog is not under control according to this Policy then the person in charge of the dog is in violation of the Bylaw, and is liable for an infringement fee. In all Dog Exercise Areas, the dog must be under control by the following means:

(i) **Voice Control**

Dogs must be under the voice control of the person in charge of the dog while the dog is in the Dog Exercise Area. This means that all dogs must be able to be controlled by voice alone. A dog running loose that will not respond to voice commands is not under control.

(ii) **Sightlines**

Dogs must be within sight of the person in charge of the dog while the dog is in the Dog Exercise Area. This means that the dog must be able to be seen by the person in control at all times. A dog that is not in sight control must be under total voice control.

(iii) **Leashing**

In a Dog Exercise Area a person in charge of a dog must carry in hand a leash at all times, in accordance with section 54 (a) (1) of the Dog Control Act 1996. Failure to do so is a violation of the Dog Control Act 1996.

(iv) **Multiple use of the Reserve**

Where the Dog Exercise Area is being used by individuals or a group (picnickers, school, fete etc), then the person in charge of the dog is responsible to ensure that the dog is not causing a nuisance to that individual or group, under section 5(1) (b) and (e) of the Dog Control Act 1996. The dog must be leashed or removed if it causes any type of nuisance to other users. Failure to control the dog represents an infringement of the Animal Control Bylaw.

(b) **Signage**

Ruapehu District Council is responsible for providing signage for Dog Exercise Areas that:

- Clarifies the area
- Outlines any time provisions
- Outlines restraint requirements

#### Specific Controls

The following areas are to be designated as Dog Exercise Areas (refer map 1).

(a) The following parks and reserves have the entire area as Dog Exercise Areas.

(i) Owango Domain, Owango



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- (ii) Te Peka Reserve, Taumarunui
- (b) In order to provide adequate protection for dog owners and the public, the entire reserve area of the following parks and reserves are not designated as Dog Exercise Areas, but only part thereof (refer to Map 1).
- (i) Cherry Grove, Taumarunui (excluding playing fields area, boat ramp, Ongarue River picnic area, and Department of Conservation area and an area within 50 metres of the confluence of the Ongarue and Whanganui Rivers)
  - (ii) Manunui Reserve, Manunui (excluding playing fields)
  - (iii) Mangawhero Terrace Extension, Ohakune (At intersection of Shannon Street with Goldfinch Street)
  - (iv) Mangawhero Terrace Extension, Ohakune (Ayr Street Entrance, open space)
  - (v) Rochfort Park, Ohakune (excluding Carrot Reserve and bush area along Mangataitei Stream)
  - (vi) Makotuku River Road Reserve, Raetihi (opposite Domain and on the north side of the cemetery)
  - (vii) Portion of Part of Ohakune-Raetihi Road Reserve between SH4 and Railway Road, Raetihi
  - (viii) Grassed area behind public toilets on State Highway 1 in Waiouru

### **Time Restrictions**



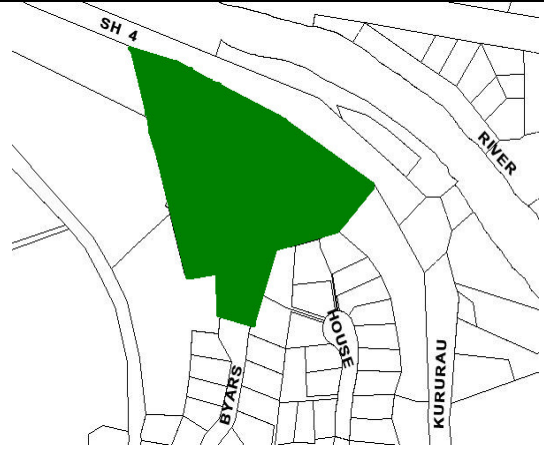

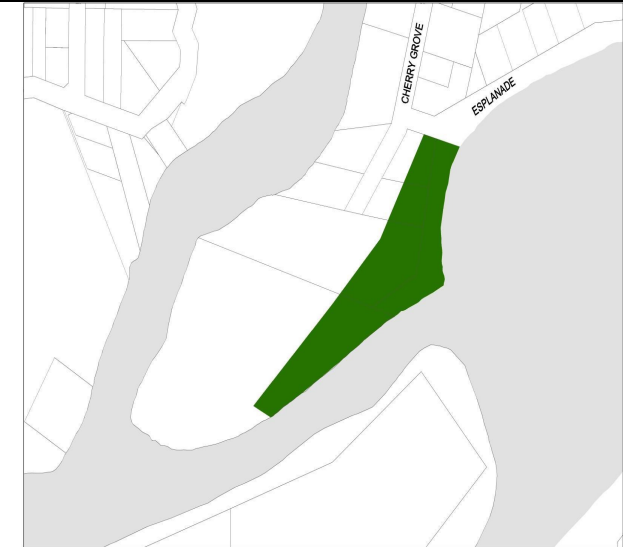
The only reserve where time restrictions apply is Cherry Grove, Taumarunui. Times are to be as follows:

- (a) Dogs must be leashed between the hours of 10.00am and 4.00pm from Labour Day to Easter Monday, and all public holidays. At all other times dogs may be exercised off the leash.



**Maps**



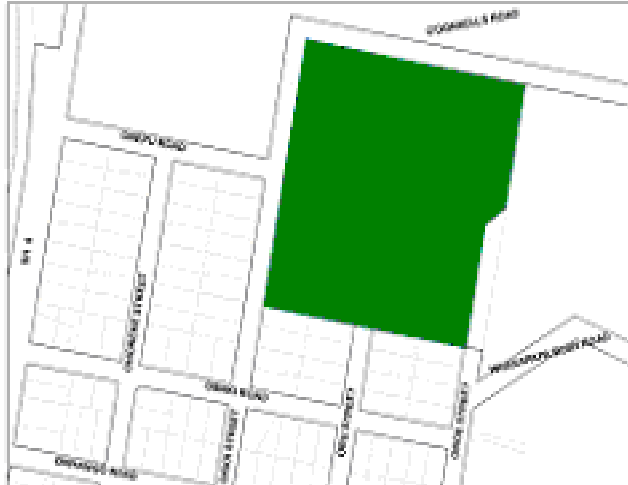

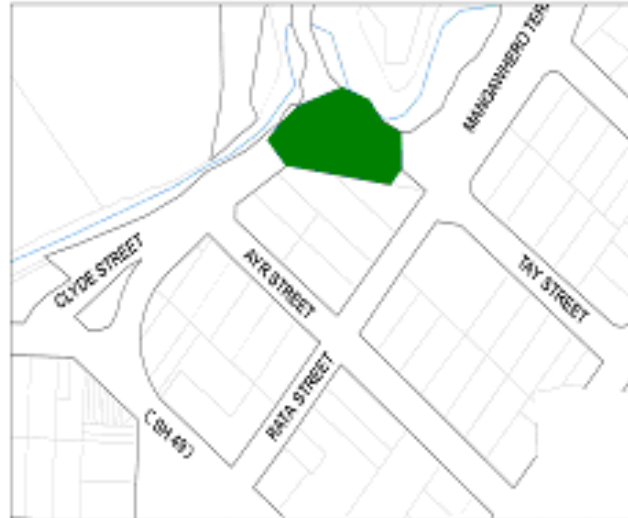

**RUAPEHU DISTRICT DOG EXERCISE AREAS**

<p><b>LEGEND</b></p> <p>Dog Exercise Area </p> <p>Leashed Reserve Area (adjacent to Dog Exercise Area) </p>	
<p>Te Peka Reserve, Taumarunui</p>	<p>Manunui Domain, Manunui (Signed Area Only)</p>
	
<p>Cherry Grove, Taumarunui (Signed Area Only)</p>	
	



**Maps**

**RUAPEHU DISTRICT DOG EXERCISE AREAS**

<p><b>LEGEND</b></p> <p>Dog Exercise Area </p>	<p>Leashed Reserve Area (adjacent to Dog Exercise Area) </p>
<p>Owhango Domain, Owhango</p>	<p>State Highway 1 Waiouru (Grassed area behind public toilets)</p>
	
<p>Mangawhero Terrace Extension, Ohakune (Ayr Street Entrance, Signed Area Only)</p>	<p>Mangawhero Terrace Extension, Ohakune (At intersection of Shannon Street with Goldfinch Street)</p>
	





**Maps**

**RUAPEHU DISTRICT DOG EXERCISE AREAS**

**LEGEND**

Dog Exercise Area



Leashed Reserve Area (adjacent to Dog Exercise Area)



Rochfort Park, Ohakune  
(Excluding Carrot Reserve, and the bush area along Mangateitei Stream)

Makotuku River Road Reserve, Raetihi  
(North side of cemetery)

