

Report to: Council

Meeting Date: 11 August 2015

Subject: Dog Control Policy and Practice Report

Document No: 607676

File: D66-0013



Purpose of Report

- 1.1 The purpose of this Report is to present to Member's the annual report on Council's Dog Control Policy and Practices for the period 1 July 2014 to 30 June 2015 as required by Section 10A Dog Control Act 1996.

Background

- 2.1 The Dog Control Act 1996 requires all territorial authorities to report annually to Central Government on their Dog Control Policy and Practices in respect of each financial year.
- 2.2 The requirement for Council to adopt an annual report on Dog Control Policies and Practices is a statutory one. When compiling such a report, Council is required to have regard to its Policy, Ruapehu District Council Policy on Dogs 2012.
- 2.3 Once Council has adopted the annual report, public notice must be given that the report is available to the public and a copy sent to the Secretary for Local Government. This is a new provision under the Dog Control Amendment Act 2003.
- 2.4 The information outlined in the annual report will assist Central Government to build a database of national information and to assess national trends and developments with regard to dog control.
- 2.5 Educational initiatives are being developed by Central Government. Collecting information from territorial authorities on a national level will enable Central Government to develop further guidelines or initiatives.

Discussion

- 3.1 An overview of the past year's activities is contained in this report, including the number of prosecutions that Council has undertaken.
- 3.2 Serious issues that warrant more than an infringement prompt Council staff to prepare a file showing any history of offences being committed and clear evidence of guilt before a decision to proceed with prosecution is made.

Recommendation

- 4.1 It is recommended that the attached annual report be adopted, that the Territorial Authority give public notice of the report and that a copy of the report be sent to the Secretary for Local Government New Zealand.

Suggested Resolutions

- 1 That the Report on Dog Control Policy and Practice Report be received.
- 2 Pursuant to Section 10A of the Dog Control Act 1996, the Ruapehu District Council Annual Report on Dog Control Policy and Practices for 2014/15 be adopted.



Brenda Ralph
TEAM LEADER COMPLIANCE

4 August 2015

Attachments Annual Report on Dog Control Policy and Practices

ANNUAL REPORT ON DOG CONTROL POLICY AND PRACTISES FOR THE RUAPEHU DISTRICT COUNCIL FOR THE YEAR ENDING 30 JUNE 2015

The following report represents the information required under to Section 10A(2) of the Dog Control Amendment Act 2003 for the period 1 July 2014 to 30 June 2015

Number of registered dogs		4,698
Number of probationary owners		0
Number of disqualified owners		0
<ul style="list-style-type: none"> • Number of dogs classified as Dangerous under Section 31(1)(b) – this period • Total Number of Dogs in district classified as Dangerous under Section 31 • Total Number of properties inspected to ensure compliance of effects of Dangerous Dog Classification 		10 2 12
<ul style="list-style-type: none"> • Number of Dogs Classified as Menacing under Section 33(1)(a) (i) – this period • Total Number of Dogs in district classified as Menacing under Section 33 • Total number of properties inspected to ensure compliance of effects of Menacing Dog Classification 		13 62 60
Number of Infringement notices issued –		
<ul style="list-style-type: none"> • For failure to register a dog • For Failure to control • For Bylaw offences • For Failure to comply with effects of menacing dog • For Failure to comply with effects of dangerous dog • For Willful obstruction of an officer 		98 54 1 1 2 1
<ul style="list-style-type: none"> • Number of Dogs Impounded • Number of dogs Returned to owner after being impounded • Number of Dogs Re Homed after being Impounded • Number of Dogs Euthanised after being Impounded 		297 132 103 55
Total Number of dog related complaints		800
Attacks on a Person	17	
Attacks on other animals	52	
Dog Rushing, Challenging or Chasing Traffic	40	
Bylaw breach (eg, dog fouling in public)	6	
Wandering dogs	335	
<ul style="list-style-type: none"> • Barking • Unregistered Dogs • Welfare 	149 62 51	
<ul style="list-style-type: none"> • Number of prosecutions • Defended hearing on non-registration – found guilty • Defended hearing on False statement – found guilty 	3	NIL NIL

Council adopted a Dog Control Policy on 24 April 2012; a copy of this policy is attached.

General Comments relating to the implementation of the Policy are as follows:

Patrols

Specific street patrols were carried out during the period 1 July 2014 – 30 June 2015. These patrols were undertaken in areas known to have a high level of complaints. Other issues were identified and responded to during the course of day to day operations.

Attacks

Council administers the provisions of the Dog Control Act 1996 where an attack has occurred. All complaints relating to dog attacks are investigated fully and decisions made based on the circumstances. Council would either classify the dog as Dangerous or Menacing, or in instances of very minor matters an infringement may be issued.

Enforcement

Over the past year Council staff has prepared three cases for prosecution.

The first case was on a dog owner who had a recorded history of control issues over a period of five years. The owner was charged with two offences against the Dog Control Act 1996 Section 57(2) in which the owner of a dog did attack another dog in a public place and that she did fail to comply with Section 32 the requirements of a Dangerous Dog classification. The Court found this owner guilty of both offences. Once found guilty the owner must be disqualified as being an owner of any dog for a period of five years.

A second case for prosecution was on an owner known to Council for offences against the Dog Control Act 1996. The case had elevated to a prosecution as the owners two dogs were involved in a serious dog attack on an Alpaca causing the animal to be destroyed due to the extent of the injuries. The owner is being charged under Section 58 for both dogs attacking an animal.

The third case Council staff are involved with is an owner who's dog was classified as Menacing for the breed but the owner failed to adhere to the classification conditions and the dog did attack another dog on its own property while under the care of a friend who claims he was not aware of the conditions imposed on the owner of the dog. The dog had caused injuries that were serious and required the dog victim to be destroyed.

The owner is being prosecuted under Section 33EC and Section 57 During this Court process the dog is being held in Council's pound until a destruction decision has been made.

Bylaws and Wandering Dogs

During regular patrols there have been a couple of instances of verbal warnings given for dogs not being controlled on leads.

All dogs, which are found wandering, are uplifted and either returned to the owner, if registered, or impounded. In some cases if no history of valid complaints is identified, the dog may be returned to the owner. If the dog was impounded the owner would be required to pay impounding fees, and an infringement for failure to control is issued. The dog owner then has an opportunity make a submission and request a waiver of the infringement notice.

Impounded Dogs

In all cases where a dog is impounded the full amount of fees as per Council's adopted fees and charges are payable before the dog is released. In all cases where dogs are euthanised, either because of surrender or not being claimed, euthanasia was undertaken by a licensed veterinarian.

Exercise Areas

Council established dog exercise areas and dog-prohibited areas within the district, The Policy also requires dogs to be on a leash at all times in a public place not being an exercise area. The exercise areas and dog prohibited areas are regularly monitored as part of normal patrols. There have been no problems sighted or complaints relating to the use of the exercise areas.

Property Inspections

All owners of dogs classified as Dangerous or Menacing within the district received an inspection during the year, to ensure that they complied with the effects of the classification. Council also has a system in place to ensure all registered addresses are inspected during a rolling three year period.

Special Permits 2+ Dogs

Owners with more than two dogs in any Residential area not zoned Rural must obtain a permit. The policy uses zones defined in Council's operative District Plan. The property is inspected to assess whether or not the criteria is met prior to a permit being issued.

Fees and Charges

Fees and charges are reviewed annually and set by Council resolution. For the 2014/2015 these fees were:

Registration

Entire Pet	\$85.00
De Sexed Dogs	\$57.00
Selected Owner policy Holders	\$36.00
Working Dogs	\$26.00
Dangerous Dogs	150% of applicable fee
Late Payment Penalty	50% of applicable fee
Application for Selected owner	\$35.00

Impounding

First Time- wearing current tag	\$35.00
First Time – not wearing current tag	\$75.00
First Time- not registered	\$140.00
Second Time- all dogs	\$168.00
Third of Subsequent Time- all dogs	\$280.00
Daily Sustenance	\$10.00
Registration Investigation	\$30.00
Surrender fee	\$45.00
Re-Homing fee	\$50.00

Education and Communication

Council's communicated with the public by way of direct written communication, press releases in the local papers, and radio advertisements.

Council supports the public with providing a school education bite prevention program and will extend any assistance to any adult agencies if requested.