

Council Policy

Policy Title: Dog Control Policy 2018
Responsibility: Group Manager Community Services
First Adopted: 2006
Review Frequency: Three yearly, or as required
Last Reviewed: February 2018
Next Review Due: February 2021
Doc No 660137

File No D66-0013



1 Policy Objectives

- 1.1 The purpose of this Policy is to:
- (a) promote responsible dog ownership for the enhancement and protection of the Ruapehu community,
 - (b) identify the obligations of dog owners in both public and private places,
 - (c) identify the dog leashed areas, prohibited areas and exercise areas within the Ruapehu District,
 - (d) comply with the requirements of the Dog Control Act 1996 (The Act).

2 Definitions

- 2.1 The following terms have the meaning given to them in Section 2 of the Dog Control Act 1996:
- (a) **Disability Assist Dog**
 - (b) **Working Dog**
 - (c) **Neutered Dog**
 - (d) **Owner**
- 2.2 **Dangerous Dog** is a dog classified as such under section 31 of the Act.
- 2.3 **Hunting Dog** means a dog used for pig, goat or deer hunting.
- 2.4 **Non-Working Dog** means all dogs that are not working dogs to which no alternative classification has been assigned.
- 2.5 **Territorial authority** is a city or district council.

3 Principles

- 3.1 Ruapehu District Council (Council) seeks to set high expectations of dog owners, so that people can enjoy the benefits of dog ownership while at the same time minimise negative impacts on other members of the community.
- 3.2 Council seeks to ensure that the welfare of dogs and other animals is provided for in a responsible manner.

- 3.3 Council seeks to achieve responsible dog ownership through its registration fee schedule which rewards good dog owners with incentives such as the Responsible Owner classification (see 5.1.3) and prompt payment discounts.

4 Background

- 4.1 This Policy has been prepared in accordance with the provisions in section 10 of The Act and section 83 of the Local Government Act 2002.
- 4.2 Dog owners who contravene The Act or the Ruapehu Bylaw may be subject to enforcement action.
- 4.3 This policy should be read in conjunction with Council's Fees and Charges Manual.
- 4.4 This Dog Control Policy can be viewed online at <http://www.ruapehudc.govt.nz/our-council/policies-and-bylaws/Pages/Policies.aspx>. Hard copies are available on request.

5 Policy Statement

5.1 OWNERS

5.1.1 The obligations of dog owners are as follows:

- (a) To ensure that the dog is registered and microchipped, as required by The Act.
- (b) To keep the dog under control at all times.
- (c) To supply the dog with proper care and attention and have sufficient food, water and shelter.
- (d) To ensure that the dog has adequate and regular exercise.
- (e) 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.
- (f) To ensure that the dog does not injure, endanger, or cause distress to any person, stock, poultry, domestic animal or protected wildlife.
- (g) To take all reasonable steps to ensure the dog does not damage or endanger any property belonging to any person.
- (h) To comply with the requirements of the Act and all regulations and bylaws of Council.

5.1.2 The owner must advise Council:

- (a) If the dog dies.
- (b) If ownership of the dog changes.
- (c) If the address at which the dog is kept changes.
- (d) If the owner has a change of address.

5.1.3 Responsible Owner Classification

"Responsible Owner" is a classification assigned to a dog owner who meets the following criteria:

- (a) registers all their dogs by the due date, and
- (b) has no history of complaints or impounding over the past 12 months, and
- (c) keeps their dog(s) under control at all times, and
- (d) is compliant with the Act and Ruapehu Bylaw.

- 5.1.4 To be eligible for the Responsible Owner classification, an owner must make an application to Council by 31 March for the registration year commencing on 1 July. Once

Council has received the application, a compliance officer will inspect the property where the dog resides.

5.1.5 Responsible Owners are entitled to a reduction in dog registration fees.

5.1.6 Failure to comply with conditions in 5.1.3 may result in the Responsible Owner losing their classification for a minimum of two registration years.

5.1.7 **Probationary Owners and Disqualified Owners (Sections 21 and 25, The Act)**

- (a) A probationary owner classification will be imposed where a transgression of the Dog Control Act 1996 is deemed by Council or the Group Manager Community Services to be of a less serious nature (see Section 21).
- (b) A disqualified owner classification will be imposed where a transgression of the Dog Control Act 1996 is deemed by Council or the Group Manager Community Services to be of a more serious nature (see Section 25).

5.2 **DOG CLASSIFICATIONS**

5.2.1 **Dangerous Dogs**

According to the Act, Council must classify a dog as a dangerous dog if:

- (a) the owner of the dog has been convicted of an offence in relation to the dog which
 - (i) rushes at, or startles, any person or animal in a manner that causes any person to be killed, injured, or endangered; or any property to be damaged or endangered; or
 - (ii) rushes at any vehicle in a manner that causes, or is likely to cause, an accident (Sections 31(1) and 57A (1), The Act.).
- (b) Council has, on the basis of sworn evidence attesting to aggressive behaviour by the dog on one or more occasions, reasonable grounds to believe that the dog constitutes a threat to the safety of any person, stock, poultry, domestic animal, or protected wildlife; or
- (c) the owner of the dog admits in writing that the dog constitutes a threat to the safety of any person, stock, poultry, domestic animal, or protected wildlife.

5.2.2 According to the Act, all dogs classified by Ruapehu District Council as dangerous must be neutered (section 32 (1)(c), The Act).

5.2.3 **Menacing Dogs**

A menacing dog is a dog that Council considers 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 (section 33A(1), The Act).

5.2.4 All dogs that are classified by Ruapehu District Council as menacing dogs either by breed or behaviour, are required to be neutered (section 10 (3)(ea), The Act).

5.2.5 All dogs classified by other territorial authorities as menacing dogs but are now registered with Ruapehu District Council are required to be neutered (section 10 (3)(eb), The Act).

5.2.6 **Hunting Dogs**

The Hunting Dog classification has been developed in partnership with the Department of Conservation (DOC).

5.2.7 To be eligible for the Hunting Dog classification, an owner must supply Council with the following:

- (a) a current Kiwi Aversion Training certificate,
- (b) a microchip number for the dog,
- (c) a completed Hunting Dog declaration form,
- (d) an approved digital photo of the dog.

5.3 DOGS IN PUBLIC PLACES

5.3.1 General Public Places

All dogs must be kept on a leash at all times, in any public place, other than in those areas listed as Prohibited or Exercise Areas (section 10 (3)(d), The Act). The owner shall keep all dogs under control at all times. This excludes working dogs whilst they are working, if those dogs are not normally on a leash in the course of their specific work.

- 5.3.2 An owner must ensure that their dog(s) are not causing a nuisance to any other person or group using any permitted space or reserve. If a dog causes any type of nuisance to other users it must be leashed and/or removed from the area.

- 5.3.3 Owners or persons in charge of dogs entering permitted areas are required to remove their dog's droppings.

5.4 Dog Control Areas

There are four categories of dog control areas; prohibited areas, leashed areas, exercise areas and National Park and Conservation areas.

- 5.4.1 Prohibited, leashed and exercise areas are enforced through The Ruapehu Bylaw. Maps for each of the areas in the district can be found in Schedule 10 of that Bylaw.

5.5 Prohibited Areas (section 10 (3)(b), The Act)

Council designates areas in public spaces as prohibited to dogs. These decisions will be made by Council resolution and will be publicly notified.

- 5.5.1 Prohibited areas are identified in Schedule 1 of this policy and Schedule 10 of The Ruapehu Bylaw.

- 5.5.2 Prohibitions do not apply to working dogs whilst they are working.

5.6 Leashed Areas (section 10 (3)(c), The Act)

Council designates areas in public spaces where dogs are required to be on a leash at all times. These decisions will be made by Council resolution and will be publicly notified.

- 5.6.1 Leashed areas are identified in Schedule 1 of this policy and Schedule 10 of The Ruapehu Bylaw.

- 5.6.2 Prohibitions do not apply to working dogs whilst they are working if those dogs are not normally leashed in the course of their specific work.

5.7 Exercise Areas (section 10 (3)(e), the Act)

Council designates areas in public spaces where dog(s) are not required to be on a leash. These decisions are made by Council resolution and will be publicly notified.

- 5.7.1 The permission for a dog to be unleashed in these areas does not apply to dogs classified as 'dangerous'. Dangerous dogs must remain on a leash and muzzled at all times.

- 5.7.2 Exercise areas are identified in Schedule 1 of this policy and Schedule 10 of The Ruapehu Bylaw.

- 5.7.3 The following controls are considered appropriate in a dog exercise area:
- (a) *Voice Control*
A dog must respond immediately to the voice control of the owner or person in charge of the dog. A dog running loose that will not respond to the voice commands of its owner or the person in charge is not considered to be under control.
 - (b) *Sightlines*
A dog must be within sight of the owner or person in charge of the dog. This means that the dog must be able to be seen by and be under the control of the owner or person in charge at all times.
 - (c) *Leashing*
A dog owner or person in charge of dog(s) must carry one leash per dog at all times (section 54A(1), The Act).
- 5.7.4 **Signage in exercise areas**
Ruapehu District Council provides signage for dog exercise areas that:
- (a) clarifies the area,
 - (b) outlines any time provisions, and
 - (c) outlines restraint requirements.
- 5.7.5 **National Parks and Conservation Areas (section 10, The Act)**
Requirements for dog control in conservation areas are set by the Department of Conservation. Council Compliance Officers may assist when requested.
- 5.7.6 The following national parks and conservation areas are located in the Ruapehu District:
- (a) Tongariro National Park and Conservation Area,
 - (b) Whanganui National Park (portions of the northern and eastern areas of the National Park),
 - (c) Erua Conservation area,
 - (d) Southern Pureora Conservation Area.

5.8 REGISTRATION AND LICENCING

- 5.8.1 **Registration and other fees**
Council sets registration fees and other charges for dogs (section 37, The Act). The fee schedule is set out in Council's Fees and Charges Manual, which can be found on Council's website.
- 5.8.2 The fees are also differentiated according to the classification of dogs as Non-working Dogs (neutered or entire), Working Dogs, Hunting Dogs or Dangerous Dogs.
- 5.8.3 **Licence for keeping of more than two dogs**
Except in areas zoned for rural use in the Ruapehu District Plan, no person shall be permitted to keep more than two dogs over three months of age on a property without a licence issued by Ruapehu District Council.
- 5.8.4 The maximum number of dogs allowed under the licence is four with exceptions to be considered by Ruapehu District Council on a case-by-case basis.

5.8.5 An application fee for the licence applies

The licence shall be issued subject to the applicant meeting the following criteria:

- (a) Must have the physical suitability of land to hold more than two dogs,
- (b) Must hold Responsible Owner status,
- (c) Must meet any terms or special conditions the Compliance Officer may attach to any such licence.

5.8.6 When licence holders and their dogs change address, a new application must be submitted for the new address.

5.9 EDUCATION

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 (as available).

6 Related Documents

- 6.1 Dog Control Act 1996
- 6.2 Local Government Act 2012
- 6.3 National Parks Act 1980
- 6.4 The Ruapehu Bylaw (2018)
- 6.5 Ruapehu District Council Fees and Charges Manual
- 6.6 Ruapehu District Council pamphlets

7 Annotations

Date	Description
October 2010	Policy reformatted – no textual changes
April 2012	Policy Reviewed
February 2018	Extensive policy review, see documents 660822, 676408, 676879

S1.1 Prohibited Areas

No dogs shall be permitted to enter any of the following areas in the Ruapehu District:

- (a) all Council sports fields, all Council hard courts i.e. netball courts and tennis courts
- (b) all Council swimming pool areas,
- (c) within 10 metres of all Council playgrounds,
- (d) (see maps in this schedule for specific prohibited areas in each town).

Note: Leashed dogs are permitted to access the pedestrian underpass between Bell Road and Hakiaha Street, the pedestrian crossing on Hakiaha Street and along Katarina Street to access Huia Street. Dog owners resident within the prohibited area are permitted to use their nearest exit from the prohibited area, when walking leashed dogs. At all other times the prohibition applies.

S1.2 Leashed Areas

Every person in charge of a dog within a restricted speed zone (i.e. 50km, 70km or 80km) across the Ruapehu District must have their dog on a leash at all times (excluding the township of Ohura) and carry the means to remove dog droppings.

S1.2.1 Dogs are required to be on a leash in all public cemeteries in Ruapehu District.

S1.2.2 As well as those areas described in S1.2 and S1.2.1, dogs are required to be on a leash in the following areas (see maps below);

- (a) Taumarunui:
 - (i) Upper section of the Northern Entrance rest area (State Highway 4),
 - (ii) Te Peka Reserve,
 - (iii) Tuku Street Domain.
- (b) Raetihi:
 - (i) Makotuku Walkway,
 - (ii) Parapara Road, native bush south of the cemetery (note: the clearing adjoining the road in this area is an exercise area).
- (c) Ohakune:
 - (i) Rochfort Park behind "Carrot Park" area, all the way to Ohakune-Raetihi Road.

S1.3 Exercise (unleashed) areas

The areas listed below are designated as dog exercise areas:

- (a) Taumarunui:
 - (i) Lower section of the Northern Entrance rest area (State Highway 4),
 - (ii) Te Peka Lookout,
 - (iii) Ngā Huinga/Cherry Grove Reserve (signed area only along the Whanganui River),
 - (iv) Rangaroa Reserve (signed area only). This **excludes** the area along the road front of East Street where dogs must be kept on a **leash**,
 - (v) Lairdvale Reserve,
 - (vi) Matapuna. The south western end of the Matapuna Bridge on the southern side of the river.
- (b) Manunui
 - (i) Manunui Domain (signed area only).
- (c) Owango
 - (i) Owango Domain.
- (d) National Park Village
 - (i) Paper road between railway line and Erua forest linking Pehi Road and Fisher Road.
- (e) Ohakune

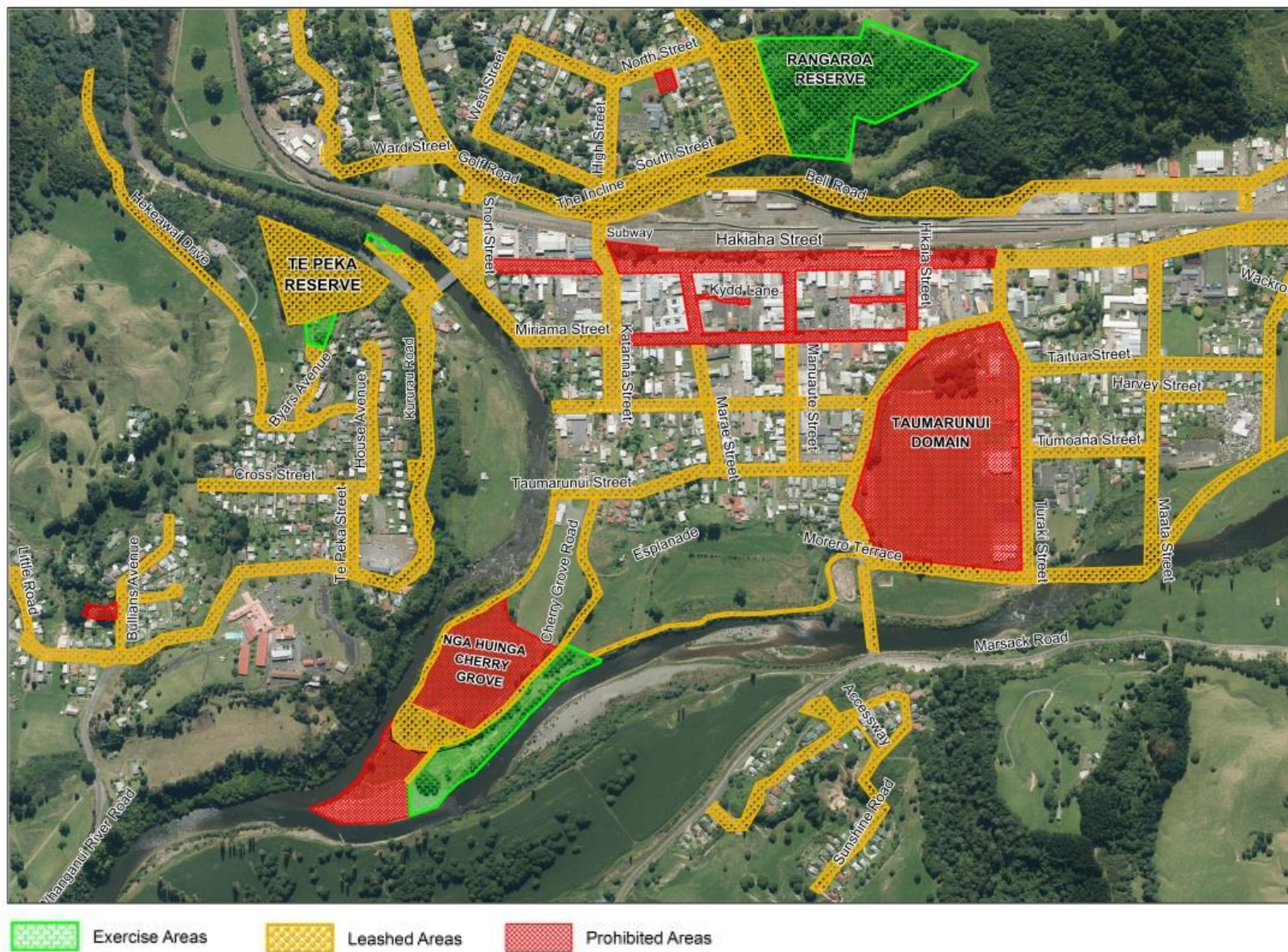
- (i) Mangawhero Terrace Extension, Ohakune (at the intersection of Shannon Street with Goldfinch Street),
 - (ii) Mangawhero Terrace Extension, Ohakune (Access at corner of SH49 and Ayr St, open space at the start of the Mangawhero River Walkway).
- (f) Raetihi
 - (i) Road reserve on the corner State Highway 4 and Railway Road, Raetihi,
 - (ii) Parapara Road, the clearing between the cemetery and native bush area (bush area is a **leashed** area).
- (j) Waioru
 - (k) Currently there are no exercise areas on public land in Waioru.

S1.4 DESIGNATED DOG AREA MAPS

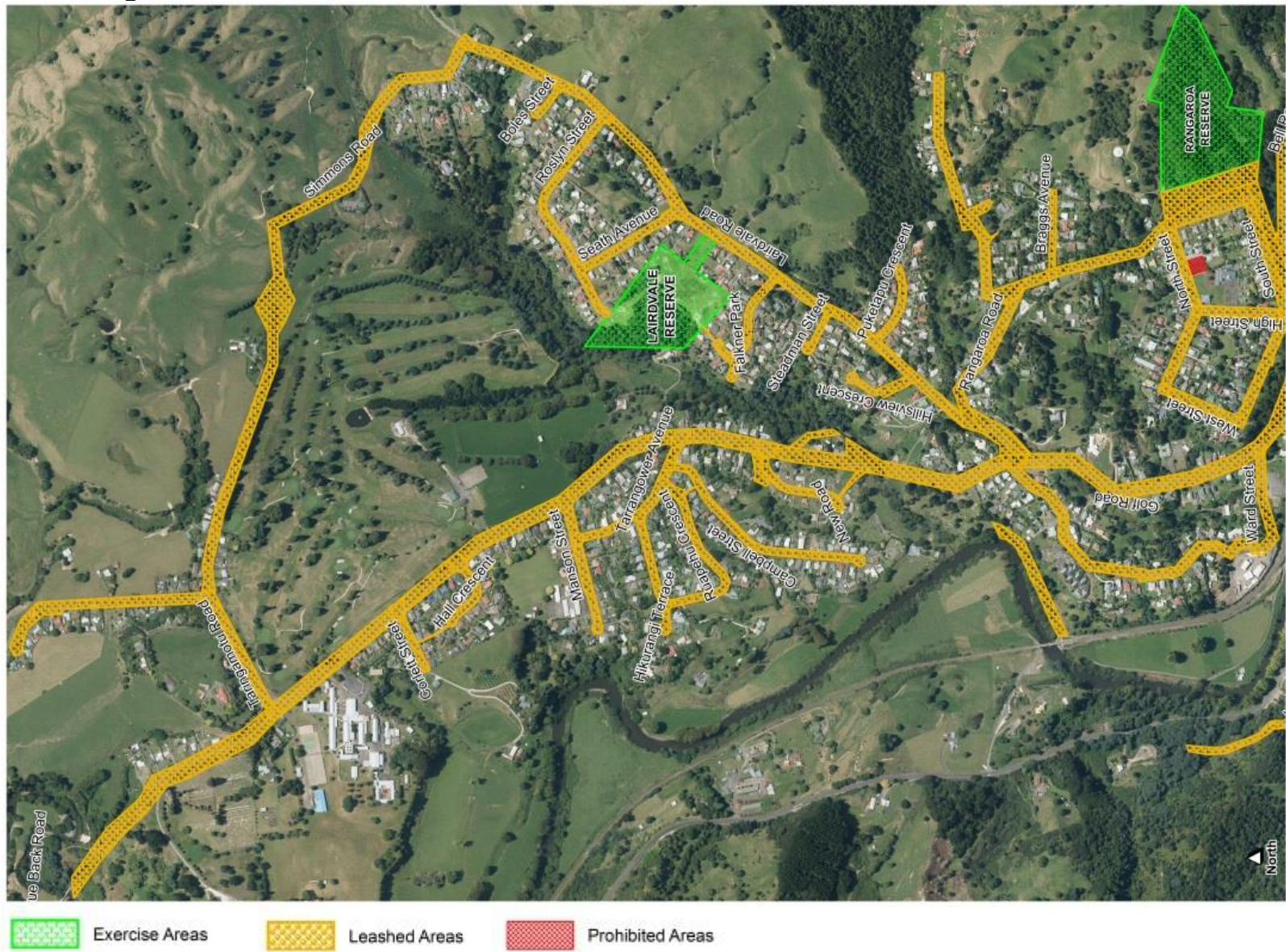
S1.4.1 Dog Areas – Ohura and Matiere (There are no designated dog areas in Ohura)



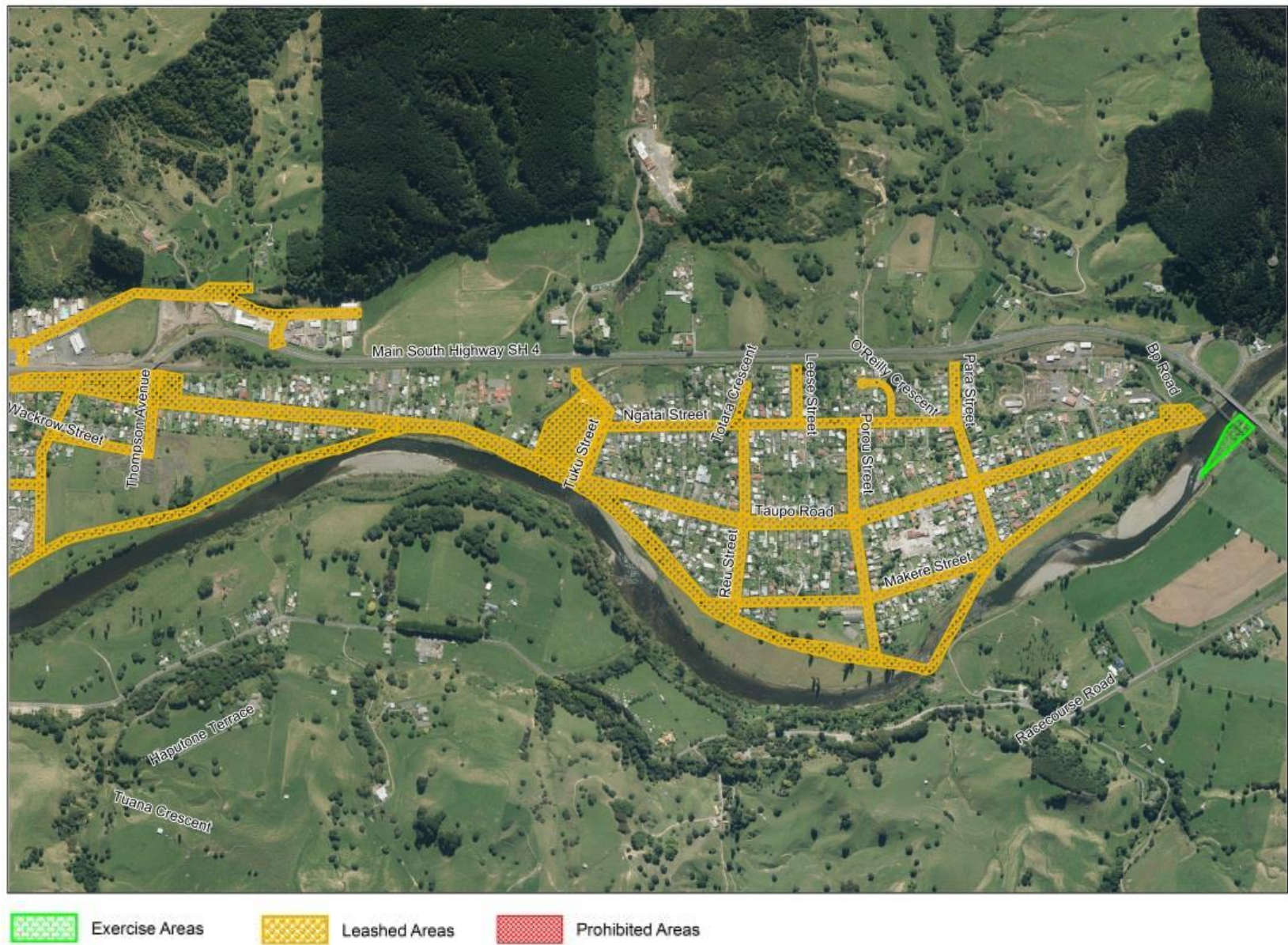
S1.4.2 Dog Areas – Taumarunui



S1.4.3 Dog Areas - Taumarunui Northwest



S1.4.4 Dog Areas - Taumarunui East Matapuna



S1.4.5 Dog Areas – Manunui and Owango



S1.4.6 Dog Areas – Raetihi (detail)



S1.4.7 Dog Areas - Raetihi



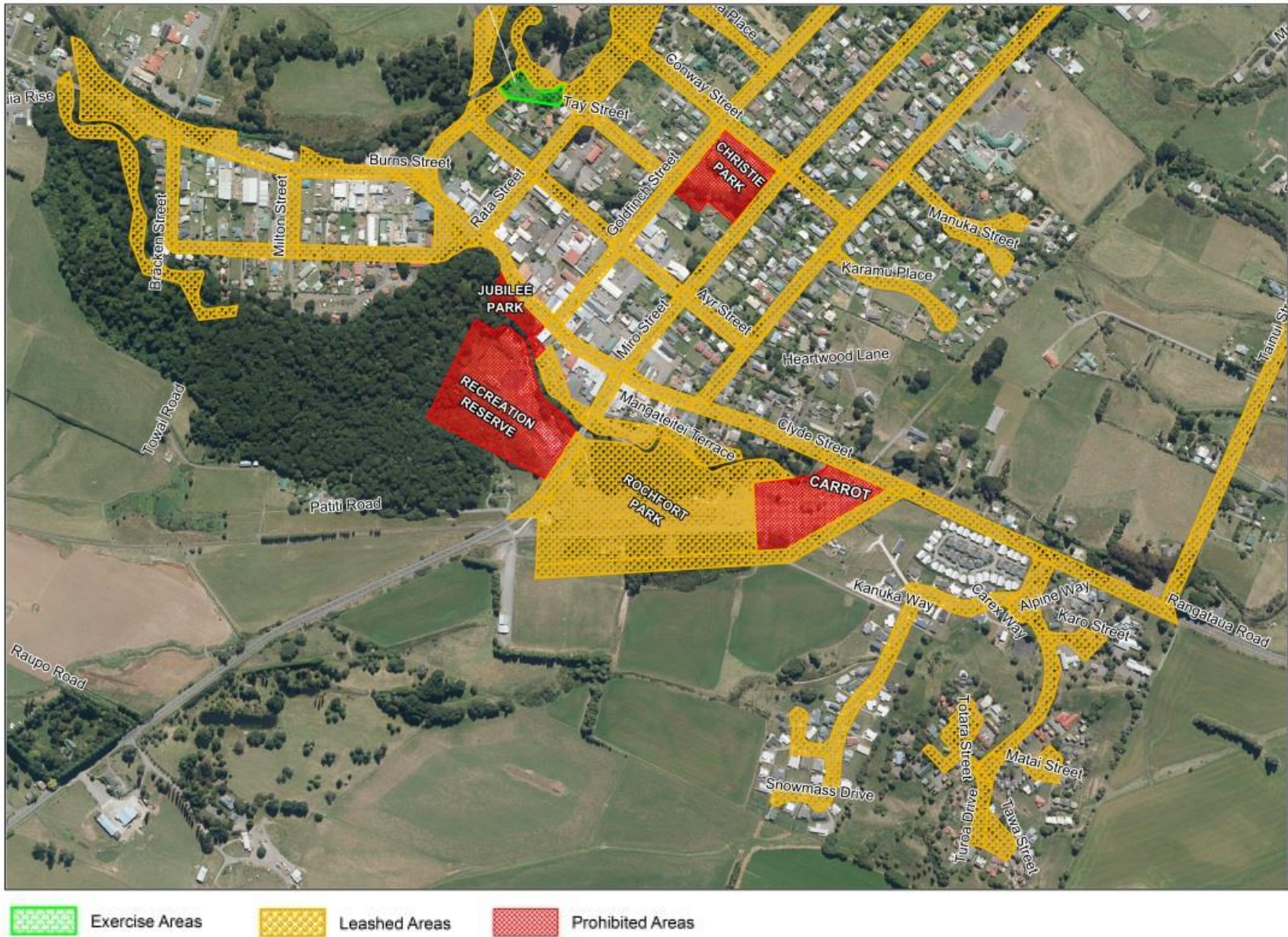
S1.4.8 Dog Areas - Ohakune



S1.4.9 Dog Areas – Ohakune, Junction end



S1.4.10 Dog Areas - Ohakune South



S1.4.11 Dog Areas – Waiouru and Ruatiti (Ruatiti Domain prohibited from 1 November – 30 April)



S1.4.12 Dog Areas - National Park Village

