



Dog Control Policy

1. Purpose of Dog Control Policy

This policy forms the basis of the District Dog Control Bylaw made under section 10 of the Dog Control Act 1996.

The purpose of the Dog Control Policy is to provide clear guidance to the public and Council staff involved in the administration of the Dog Control Act 1996. It sets out the variety of mechanisms that will be used in the day to day activity of dog control in the Kaikoura District.

The intended outcome of the policy is to provide a safe and healthy environment for citizens and visitors to the Kaikoura District. In addition, that appropriate enforcement of the policy, Dog Control Bylaw and Dog Control Act will minimise the possibility of dog attacks. Also the general welfare of dogs is addressed in parts of the policy to ensure dogs are well cared for.

2. Control of Dogs

Dogs in public places (unless prohibited) shall be kept under continuous and effective control at all times. At all other times dogs shall be confined on private property in such a way that they cannot freely leave. If a dog is diseased or on heat, exercising must be carried out on the owner's property. Uncontrolled dogs will be impounded where appropriate; owners will be infringed for repeat offences. The owner of a dog will be disqualified if three infringement offences are incurred within a 24 month period.

2.1 Areas Where Dogs Are Prohibited

Dogs are prohibited within the following areas of the Kaikoura District at all times;

- Takahanga Domain
- Gooches Beach Recreation Reserve within 10 metres of play equipment
- Recreation Reserve (next to 103 South Bay Parade) within 10 metres of play equipment
- Bayview Street Park within 10 metres of the play equipment
- Churchill Street Park within 10 metres of the play equipment
- Point Kean Seal Colony area and car park and the Peninsula walkway
- Jimmy Armers Beach and Recreation Reserve from 1 November to 31 March each year
- South Bay Domain, fenced off sports areas only
- Wildlife reserve adjacent to Lyell Creek (Ludstone Road corner)
- South Bay commercial boat park, Moa Point and the small craft marine facility area
- Garden of Memories
- Reservoir Site Scarborough Street (the Lookout)

- Kaikoura Cemetery
- Gillings Lane / Beach Road Recreation Reserve within 10 metres of play equipment

The above areas are considered high use recreation areas where there is a need to minimise danger, distress and nuisance to the community generally.

2.2 Areas Where Dogs Must Be On a Leash

Dogs are allowed in the following areas as long as they are on a leash; *(For the purpose of this policy leash means an adequate restraint not exceeding 2 metres in length and held by a person physically capable of restraining the dog.)*

- West End (between State Highway 1 and Esplanade)
- Lydia Washington Walkway (West End to Deal Street)
- Annie Boyd Walkway (Torquay Street to Killarney Street)
- Takahanga Terrace to Killarney Street Walkway
- Dempsey's Track (Torquay Street to Scarborough)
- Tom's Track (Torquay Street to Scarborough Street)
- Track from Torquay Street to Scarborough Street via Nga Niho Pa
- Churchill Street (West End to Scarborough Street)
- Beach Road (Mill Road to Ludstone Road/ Churchill Street intersection)

2.3 Areas other than Prohibited Areas or Leash Areas

Dogs are permitted in every other area within the Kaikoura District except for;

- Any areas specified as controlled or closed areas under the Conservation Act 1987
- Any other areas where dogs are prohibited from or restricted from in any other statute or policy
- Any private land (except with consent of the landowner)

2.4 Dog Exercise Areas

In having regard to the exercise and recreational needs of dogs and their owners and the need to minimise danger, distress and nuisance to the community generally dogs may be exercised in the following areas;

- South Bay Recreation Reserve (South Bay Foreshore)
- South Bay Recreation Reserve (near the start of the peninsula walkway)
- South Bay Domain (area from South Bay Parade / State Highway 1 corner to the Kowhai River on the seaward side of State Highway 1)
- Beach Foreshores (except Jimmy Armers Beach and South Bay Commercial Boat Park)
- River beds and the Queens Chain adjoining rivers (Esplanade Reserves and Strips)
- Recreation Reserve on the South bank of the Kowhai River
- Churchill Park (Dogs are prohibited within 10m of play equipment)

2.5 Dogs on Vehicles

Dogs on open trays of vehicles must be confined by leashes or chains of a length adequate to prevent such dogs from falling from the vehicle or snapping at passers-by. This provision will not apply where any dog is adequately confined on the rear of a vehicle by means of a wire cage or similar device.

2.6 Dogs not Prohibited from Prohibited areas

The following working dogs are not prohibited from the areas listed as prohibited as long as the dogs are carrying out their function as working dogs:

- a) Disability assist dogs as defined in Section 2 of the Dog Control Act 1996;

- b) Specialist rescue dogs; and
- c) Any dog kept by the Police or any Constable, the Customs Department or the Ministry of Defence, any Security Officer or any Officer or Employee of any such Department of State solely for the purposes of carrying out the functions, powers and duties of the Police or the Department of State or that Constable, Office or Employee.

3. Prevention of Nuisances

Dog owners are required to keep their dogs in clean and hygienic conditions and maintain these facilities in a good state of repair. Council shall prohibit the keeping of dogs in such conditions that could cause a health risk to the dog or a member of the community or create a nuisance to the community by persistent barking or other such unacceptable behaviour.

3.1 Removal of Faeces

The owner or person in charge of a dog in any public place must carry a suitable container for the removal of any faeces defecated by that dog. Every person whose dog defecates in a public place or on any land not owned or occupied by that person must immediately remove the faeces and dispose of it in a sanitary manner.

4. Dog Awareness and Education

Council may from time to time undertake education and promotional programmes which promote responsible dog ownership and other issues related to management and control of dogs.

Council will regularly review educational material to ensure it remains relevant.

5. Release of Impounded Dogs and Impounding Fees

Impounded dogs will only be released when proof of ownership has been established and upon payment of impounding fees. The fees will be set at a level so as not to discourage retrieval of the dog. The fees shall increase to impose a greater penalty for each impoundment of any dog under the same ownership in any registration year.

Sustenance charges shall be set to recover the cost of all elements involved in the proper kennelling of dogs including the provisions of adequate food, water, shelter and exercise and shall be comparable to the fees charged by boarding establishments.

No unregistered dog shall be released until payment or arrangement for payment of registration fees has been made and the dog has been microchipped.

6. Fees

Registration fees are based on the actual costs incurred by Council for the registration and control of dogs. Dog registration fees are reviewed annually. A base registration fee is set for all dogs and a discount fee is available for the following categories:

- a) Dogs which are neutered or spayed.
- b) Disability Assist Dogs as defined in section 2 of the Dog Control Act 1996.
- c) Working Dogs as defined in the Dog Control Act 1996.

A late payment penalty fee will be applied to encourage owners to register their dogs on time.

7. Number of Dogs Permitted in Urban Areas

No more than two dogs are allowed to be kept on any property in the residential areas within the Kaikoura Township and the outlying Township settlements of Oaro, Goose Bay, Peketa, Hapuku, Rakautara, Clarence and Kekerengu without a licence. Applicants will be required to demonstrate they meet set criteria.

8. Classification of Dogs and Effect of Classification

Dogs classified as menacing under Section 33A of the Dog Control Act may be required to be neutered. In exercising this discretion the Council will take into account the likely effectiveness of neutering in reducing the dogs aggressive behaviour.

Dogs classified as menacing under Section 33C of the Dog Control Act 1996 are required to be neutered.

The above apply to any dog classified as menacing in another District if the owner wishes to register the dog in the Kaikoura District.

9. Issuing of Infringement Notices

Infringement notices shall be issued, as specified below, for offences under each of the following sections of the Dog Control Act 1996. In relation to any of the offences specified, the Council may, in its absolute discretion, issue a warning (whether written or oral) in relation to the first offence followed by an infringement notice for any subsequent offending in respect of that offence.

- 18 Wilful obstruction of Dog Control Officer or Dog Ranger.
- 19(2) Failure or refusal to supply information or wilfully stating false particulars.
- 19A(2) Failure to supply information or wilfully supplying false particulars about a dog.
- 20(5) Failure to comply with any bylaw authorised by section 20 of the Act.
- 23A(2) Failure to undertake dog owner education programme or obedience course.
- 24 Failure to comply with obligations of probationary owner.
- 28(5) Failure to comply with effects of disqualification.
- 32(2) Failure to comply with effects of classification of dog as a dangerous dog.
- 32(4) Fraudulent sale or transfer of dangerous dogs.
- 33EC(1) Failure to comply with the effects of classification of dog as menacing dog.
- 33F(3) Failure to advise person of muzzle and leashing requirements.
- 36A(6) Failure to implant microchip transponder in dog:
 - a) for dog classified as dangerous or menacing
 - b) for dog registered for the first time on or after 1 July 2006
 - c) False statement relating to registration.
- 41A Falsely notifying death of dog.
- 42 Keeping an unregistered dog.

- 46(4) Fraudulent attempt to procure replacement label or disc.
- 48(3) Failure to advise change of ownership of dog.
- 49(4) Failure to advise change of address.
- 51(1) Removal or swapping of labels or discs.
- 52A Failure to keep a dog controlled or confined.
- 53(1) Failure to keep dog under proper control.
- 54A Failure to use or carry a leash in a public place.
- 54(2) Failure to provide care and attention, to supply proper and sufficient food, water and shelter, and to provide adequate exercise.
- 55(7) Failure to comply with barking dog abatement notice.
- 62(4) Allowing a dog known to be dangerous to be at large unmuzzled or unleashed.
- 62(5) Failure to advise of muzzle and leashing requirements
- 72(2) Releasing dog from custody.