

PROPOSED DOG CONTROL POLICY



Date adopted by Council:	<i>To be confirmed</i>
Date considered by Committee:	City Delivery Committee, 7 September 2017
Minute Reference:	<i>To be confirmed</i>
Previous Policy Reference(s):	Control of Dogs
Statutory Requirement:	Section 10, Dog Control Act 1996
Business Unit/Author:	Policy, Planning and Regulatory Services
Next Review Date:	<i>Determined by date of adoption</i>

PURPOSE

The purpose of this policy is to enable people to enjoy the benefits of dog ownership and provide for the exercise and recreational needs of dogs, while minimising danger, distress, and nuisance to the wider community.

BACKGROUND

Porirua City wants to ensure that dogs are appropriately enjoyed, managed and controlled so that all residents can safely enjoy their village community and have a great city experience. There are also cultural considerations for the appropriate control of dogs around sites of significance to Māori, for example urupa and the foreshore.

To achieve this, the Council promotes, encourages and enforces responsible dog ownership practices and carries out public education, dog registration, enforcement, control of stray dogs, responding to complaints and managing impounded, dangerous and menacing dogs. Given that dog ownership is a personal choice and privilege, it is appropriate that where practical, the majority of related costs and responsibilities are borne by the dog owners.

RESPONSIBLE DOG OWNERS

Responsible Dog Owner Status

The Council encourages, recognises and rewards responsible dog ownership by granting, on application, "responsible dog owner status". This status entitles the person to a discounted dog registration fee. To receive the status a dog owner must:

- apply to the Council in writing
- have their dog(s) currently registered and renew that registration before 31 July each year

- keep their dog(s) on a suitable, safe and adequately fenced property
- not have been convicted or fined for any offence under the Dog Control Act 1996 or Dog Control Bylaw during the last two years
- have a dog that has not been classified as dangerous or menacing due to observed or reported behaviour of the dog during the last two years
- not have any dog that has been the subject of a substantiated complaint to the Council within the previous year
- enable Animal Control Officers to carry out inspections of the dog(s) and the property on which it is or they are kept, as part of the application process or at any reasonable time during normal working hours.

No responsible dog owner application fee for new dog owners and owners moving to Porirua

In order to obtain responsible dog owner status, new dog owners in Porirua and dog owners moving into Porirua will need to advise the Council and confirm, using a checklist, that the new property is suitable, safe and adequately fenced. No application fee will apply.

However, if on a subsequent inspection or call out, it was found that the property was not as had been advised by the owner, they would need to pay the responsible dog owner application fee.

Keeping responsible dog owner status when moving property within Porirua

Responsible dog owners moving property will be able to retain responsible dog owner status by advising the Council and confirming, using a checklist, that the new property is suitable, safe and adequately fenced. No application fee would apply.

However, if on a subsequent inspection or call out, it was found that the property was not as had been advised by the owner, they would need to pay the responsible dog owner application fee.

Cancellation of Responsible Dog Owner Status and Reapplication

Responsible dog owner status will be cancelled if an owner fails to continue to meet the conditions for responsible dog owner status. The owner may reapply for responsible dog owner status and the dog registration fee discount two years after the date the breach occurred. If the conditions for responsible dog owner status are met, the dog registration fee discount will apply at the next dog registration.

COMMUNITY EDUCATION

The Council considers that education of dog owners and the public is a priority. Dogs need to be socialised to learn how to behave in a public environment. Owners need to know how to care for and control dogs. Council staff will:

- increase public awareness of how to be safe around dogs (particularly children and their families) through education and advice
- offer new registered dog owners a free biannual education visit and property inspection including providing advice on animal care to enhance the owner's knowledge and skills

- participate in other educational initiatives, with a particular focus on owners of dogs with behavioural issues
- prepare and distribute a range of appropriate educational material on dogs
- work closely with other councils and the SPCA and other animal welfare groups

CONTROL OF DOGS IN PUBLIC PLACES

In public places, dogs must be on a leash at all times, except for Dog Exercise Areas (Schedule 1) and Dog Prohibited and Special Control Areas (Schedule 2). These schedules, and those in the bylaw, can be amended at any time by Council resolution.

REMOVING DOG WASTE

For reasons of health, safety and aesthetics, if a dog fouls in a public place (or on land or premises occupied by anyone other than the owner of the dog), the excrement must be immediately removed and disposed of hygienically. Dog owners will clearly carry a device for disposing of dog waste when in control of the dog.

SIGNS

Signs about dogs will be placed in areas such as off-leash exercise areas and dog prohibited areas. This avoids a proliferation of signs which can clutter and detract from the importance of the message.

FEES AND CHARGES

The Dog Control Act 1996 enables the Council to set reasonable fees and charges for the registration and control of dogs. The fees and charges encourage responsible dog ownership and prompt payment through discounts. Owners of working dogs are entitled to a discount when registering their dog.

There is no fee for registering a disability assist dog.

The fees and charges will be set each year through the annual plan or long-term plan process. The Government or the courts set fines for infringement offences.

NEUTERING DOGS

As provided by s.33E(1)(b) of the Dog Control Act 1996, if a dog is classified as a menacing dog by behaviour, the Council is able to require the owner of the dog to have the dog neutered (de-sexed).

Within one month of receipt of the dog classification, the owner is required to provide a certificate, issued by a veterinarian, to certify that the dog has been neutered. Alternatively, for the reasons specified on the certificate, that the dog will not be able to be neutered before the date specified in the certificate.

LIMITATION ON NUMBER OF DOGS

In order to avoid nuisance to people and other dogs, and apart from certain situations (e.g. properties zoned rural and veterinarians), dog owners will be limited to two dogs.

ENFORCEMENT AND INFRINGEMENT NOTICES

This Policy is enforced through the Porirua City Council Dog Control Bylaw (Part 5 of the Porirua City Council General Bylaw 1991) and the Dog Control Act 1996.

If an Animal Control Officer believes that an individual has committed an infringement offence, an infringement notice may be issued. An infringement notice is a fine. If this fine is paid on time no further action is taken. If this fine is not paid, the Council may send the infringement to a Court for collection.

The offences and fines are in Schedule One of the Dog Control Act 1996, see <http://www.legislation.govt.nz/act/public/1996/0013/latest/DLM375486.html>.

DEFINITIONS / LINKS

Most definitions are in the Dog Control Act 1996:

http://www.legislation.govt.nz/act/public/1996/0013/latest/DLM374410.html?search=ts_act%40bill%40regulation%40deemedreg_Dog+Control+Act_resel_25_a&p=1

For other definitions, see Porirua City Council's Dog Control Bylaw.

SCHEDULES

Schedule 1 - Dog Exercise Areas (Off Leash)

Schedule 2 - Dog Prohibited and Special Control Areas

SCHEDULE 1

DOG EXERCISE AREAS (OFF LEASH)

Porirua has the following dog exercise areas (see maps on the Council's website):

- Bothamley Park
- Brandon Reserve
- Cardiff Park
- Camborne Walkway (north of the boatsheds at the southern end and north of the Wellington Jet Sport Club at the northern end)
- Greenmeadows Reserve
- Ivey Bay Reserve
- Muri Reserve (western grassed area)
- Ngāti Toa Domain (foreshore area)
- Onepoto Park (plantation area)
- Papakōwhai Reserve
- Rangituhi Park
- Spinnaker Reserve
- Stuart Park
- Takapūwāhia Park (between Tangare Drive and Main Rd)
- All beaches, **except** that dogs are prohibited between the signs during the period 10am to 7pm, 1 November to 31 March on:
 - Karehana Beach (the sandy beach south of Plimmerton Boating Club to south of Cluny Road before the rocks)
 - Paremata Beach (between Pascoe Avenue and the Dolly Varden toilets)
 - Plimmerton Beach (south of the Fire Station from the sandy beach beginning at Sunset Parade and south to Taupō Stream)
 - Pukerua Bay Beach
 - Titahi Bay Beach

SCHEDULE 2

DOG PROHIBITED AND SPECIAL CONTROL AREAS

Dogs are prohibited in areas with specific recreation, amenity or wildlife values, which need to be protected. However, the owner of a working dog, except working dogs whose purpose is herding or driving stock, may enter with that dog into any prohibited area. Dog prohibited areas in Porirua are:

- all public buildings
- any playground, skate park or splash pad owned or controlled by the Council
- any hard court recreation area or marked playing field when it is being used for an organised public event
- Porirua City Centre - dogs may be walked on a leash and under control directly through the Porirua City Centre, or to and from a veterinary clinic.
- the following parks and parts of parks:
 - Te Rahui o Rangituhi (**except** dogs on leash are allowed on the summit road up to the stock gate or sign at 2.2 kms)
 - Porirua Scenic Reserve
 - Aotea Lagoon - rose garden, playground and splash pad (dogs must be on leash for all other parts of Aotea Lagoon)
- the following parks and tracks between 1 August and 1 November (due to lambing season):
 - Taua Tapu Track, Plimmerton, between The Track and Airlie Road
 - Motukaraka Point Reserve (inland area)
- the following beaches between 1 November and 31 March from 10am to 7pm:
 - Karehana Beach (the sandy beach south of Plimmerton Boating Club to south of Cluny Road before the rocks)
 - Paremata Beach (between Pascoe Avenue and the Dolly Varden toilets)
 - Plimmerton Beach (south of the Fire Station from the sandy beach beginning at Sunset Parade and south to Taupō Stream)
 - Pukerua Bay Beach
 - Titahi Bay Beach
- in a reserve when it is being used for an organised public event
- any other area within a public place, that is specified by a Council resolution to be a prohibited dog area
- Shopping Centres (except Porirua City Centre)
 - Dogs will be under control on leash by the owner or dog handler or safely tethered, in all shopping centres (apart from Porirua City Centre) provided the dog does not become a nuisance, is prevented from entering premises (apart from working assistance dogs) and owners immediately clean up and appropriately dispose of any dog faeces