

PART 5

PROPOSED DOG CONTROL BYLAW

5.1 SHORT TITLE AND COMMENCEMENT

This bylaw is Part 5 of the Porirua City Council General Bylaw 1991. It is also known as the Dog Control Bylaw 2017. This bylaw comes into force on [date to be inserted on adoption]

5.2 GENERAL CONTROLS OVER DOGS IN PUBLIC PLACES

Leashes shall be used

5.2.1 Every dog in every public place must be kept under continuous control by an effective leash, except when a dog is in a dog exercise area, or is a working dog being used for its designated purpose. The owner must have continuous control of the dog and remain within the dog exercise area while the dog is off its leash.

5.2.2 Dogs classified as dangerous or menacing due to observed or reported behaviour of the dog must be on a leash and muzzled at all times, except when in a vehicle or cage. This applies to dangerous and menacing dogs while in a dog exercise area.

Dog waste shall be removed

5.2.3 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.

5.2.4 Clause 5.2.3 does not apply to working dogs being used for their designated purpose.

Possession and Display of Device to Remove Dog Waste

5.2.5 The owner or any person in possession or control of any dog in a public place (or on land or premises occupied by anyone other than the owner of the dog) must carry a device to remove dog excrement. The device must be clearly visible.

5.2.6 Clause 5.2.5 does not apply to working dogs being used for their designated purpose.

Confinement of dog with contagious disease

5.2.7 Every owner of a dog that has a contagious disease must ensure that it is confined at all times within its registered address, or when not at this address in a cage or vehicle.

Control of bitch in season

5.2.8 A bitch in season must only be allowed outside the registered address when under the direct control of the dog owner or a person over the age of 16, and must be on a leash at all times.

Roaming dogs to be impounded

5.2.9 Any dog found roaming may be impounded by an Animal Control Officer.

Owners of impounded dogs to pay fees

5.2.10 The owner of any impounded dog must pay fees to the Council for the dog's food and drink, and an impounding fee.

5.3 LIMITATION OF NUMBER OF DOGS

5.3.1 Except for clause 5.3.2, no person shall keep (or permit any other person to keep) more than two dogs over three months old on any private land.

5.3.2 There is no limit on the number of dogs allowed:

- on land that is zoned rural under the Council's District Plan
- on land in any other zone that has one or less household units per 5000 square metres of land
- on a premise that is a veterinary clinic or a business for boarding or breeding dogs.

5.3.3 Clause 5.3.1 does not apply if the Environmental Standards Manager has granted a valid permit. To get a permit, the dog owner must:

- pay an annual fee
- comply with any reasonable requirements imposed by an Animal Control Officer to ensure proper care and control of the dogs, and the prevention of any nuisance
- be a responsible dog owner (see Porirua City Council Dog Policy.)

5.3.4 An Animal Control Officer may review any permit granted under clause 5.3.3. The permit may be modified or revoked by the Environmental Standards Manager if the conditions of the permit are breached.

5.4 DOG CONTROL AREAS

Exercise Areas

5.4.1 The areas listed in the first schedule to this bylaw are dog exercise areas, where dogs can be off leash. The owner must have continuous control of the dog and remain within the dog exercise area while the dog is off its leash.

Prohibited Areas

5.4.2 The areas listed in the second schedule to this bylaw are dog prohibited areas. However, working dogs, except working dogs whose purpose is herding or driving stock, are permitted in these areas.

Adjusting Exercise and Prohibited Areas

5.4.3 The Council may, by resolution, amend, add or delete dog exercise areas or prohibited areas.

5.4.4 Any resolution made under clause 5.4.3 must be publicly notified.

Offences

5.4.5 Any person that breaches this bylaw commits an offence and is liable for a penalty under the Local Government Act 2002.

5.5 INTERPRETATION

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

“device” means any object used to pick up dog excrement hygienically

“Dog Control Policy” is the policy that Council adopts under section 10 of the Dog Control Act 1996

“foul” means any of a dog's body fluids (excluding urine) deposited outside a dog's body, including, but not limited to: excrement, blood and vomit

“household unit” is the meaning defined in section 2 of the Building Act 2004

“land” means land within the Porirua City Council District boundaries and includes buildings on this land

“leash” means any device able to be securely affixed to a particular dog collar and held by a person such that that device will withstand the particular dogs' (to which the device will be attached) maximum straight line force

“legal owner” means the legal person that is entitled to exclusive possession of an identified unregistered dog by means only of contract or gift

“reserve” means a reserve as defined in section 2 of the Reserves Act 1977

SCHEDULE ONE – DOG EXERCISE AREAS

Porirua Dogs Exercise Areas where dogs can be exercised off leash and under control of the owner/handler.

Location	Specific dog exercise area
Beaches	All beaches except that dogs are prohibited between the signs during the period 10am to 7pm, 1 November to 31 March on: <ul style="list-style-type: none"> • 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
Camborne	Camborne Walkway - north of the boatsheds at the southern end and north of the Wellington Jet Sport Club at the northern end <ul style="list-style-type: none"> • at the southern end, dogs must be on leash from Pascoe Ave until past the boatsheds • at the northern end, dogs must be on leash between Grays Road carpark until past the Wellington Jet Sport Club to the south
Eastern Porirua	Bothamley Park
	Cardiff Park
Takapūwāhia / Elsdon / City	Rangituhi Park
	Takapūwāhia Park (Between Tangare Drive and Main Rd)
Mana	Ngāti Toa Domain (Foreshore Area)
Papakōwhai	Papakōwhai Reserve
Paremata	Ivey Bay Reserve
Pukerua Bay	Greenmeadows Reserve – except that dogs are prohibited in the playground
	Muri Reserve (western grassed area)
Titahi Bay	Onepoto Park (Plantation Area)
	Stuart Park
Whitby	Brandon Reserve
	Spinnaker Walkway Reserve

SCHEDULE TWO – DOG PROHIBITED AND SPECIAL CONTROL AREAS

Area	
All public buildings	
Shopping areas	<p>Dogs are prohibited from Porirua City Centre unless walked on a leash directly through the shopping centre, or to and from a veterinary clinic</p> <p>In shopping centres other than 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</p>
Recreation Reserves / Public Play Places	<p>All hard court recreation areas in public places</p> <p>All marked playing fields and local authority reserves in public places when being used for an organised public event</p> <p>Any local authority skate park, playground and splash pad</p>
Beaches	<p>Dogs are prohibited between the signs during the period 10am to 7pm, 1 November to 31 March on:</p> <ul style="list-style-type: none"> • 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
Parks	<p>Dogs are prohibited in the following parks and parts of parks at all times:</p> <ul style="list-style-type: none"> • 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 (as per Reserves Management Plan and Porirua Reserve Finder) • Aotea Lagoon - rose garden, playground and proposed splash pad (for other parts of Aotea Lagoon dogs must be on leash) <p>Dogs are prohibited in the following parks, reserves and tracks between 1 August and 1 November (due to lambing season):</p> <ul style="list-style-type: none"> • Taua Tapu Track, Plimmerton, between The Track and Airlie Road • Motukaraka Point Reserve (inland area)