

Statement of Proposal for the Draft Dog Control and Owner Responsibility Policy and Draft Control of Dogs Bylaw

This Statement of Proposal provides an overview of the proposed amendments to Council's Control of Dogs Bylaw and Dog Control and Owner Responsibility Policy. This information aims to help the community understand the proposed amendments, and for those who wish to make a submission on the draft Dog Control and Owner Responsibility Policy and Draft Control of Dogs Bylaw 2026, it outlines how they can do this.

The draft Control of Dogs Bylaw 2026 is attached as Appendix 1.

The draft Dog Control and Owner Responsibility Policy is attached as Appendix 2.

Background

Under the Dog Control Act 1996 (the Act), all territorial authorities must have a dog control policy and an associated bylaw.

Section 10 of the Act requires every territorial authority to adopt a dog control policy using the special consultative procedure set out in section 83 of the Local Government Act 2002.

Under section 20 of the Act, Council may make a bylaw for any of the reasons outlined in section(1)(a) to (l). The purpose of a bylaw is to give effect to the Dog Control and Owner Responsibility Policy by:

- Requiring owners to keep dogs under control in all public places
- Prohibiting dogs, whether under control or not, from specified public places
- Providing designated dog exercise areas
- Providing minimum standards for the accommodation and care of dogs
- Requiring dog owners to immediately remove dog faeces from public places or land not occupied by the owner
- Sets the level of enforcement for dogs that are a nuisance and the impounding of a dog in breach of the bylaw
- Sets the number of dogs at a residential address
- Anything else that Council may consider necessary or desirable to further the control of dogs

Assessment of the bylaw

Council determined that under section 155 of the Local Government Act 2002 that a bylaw for the control of dogs is the most appropriate way of addressing the problems of managing dogs in the Rangitikei District and to give effect to the requirements of the Act, noting that section 10(6) of the Act requires the Council to make a bylaw to enforce its Dog Control and Owner Responsibility Policy.

A copy of Council's findings report including its section 155 determination is attached.

We want to hear your views

Any person, organisation or body is welcome to make a submission on the draft Bylaw and Policy. The consultation period will be open from Monday, 14 September 26 and closes at 5pm on Friday, 16 October 26. If submitters would like to speak, it is anticipated that a hearing will be scheduled for November 2026, but this depends on the number of submissions that Council receives (i.e. if Council receives a high number of submissions, then the hearing may need to occur later).

Making a submission

You can make a submission:

- Online at [Consultations: Rangitikei District Council: www.rangitikei.govt.nz](https://www.rangitikei.govt.nz/consultations)
- By obtaining a hard copy submission form from the Council's High Street Office in Marton or one of our service centres in Bulls and Taihape
- By emailing submissions@rangitikei.govt.nz

Contact Us

If you have any questions about the draft Bylaw or Policy, please get in touch by calling 0800 422 522 or by emailing submissions@rangitikei.govt.nz.

Dog Control Bylaw and Dog Control and Owner Responsibility Policy 2026

The draft Dog Control Bylaw and the Dog Control and Owner Responsibility Policy largely proposed to carry forward existing provisions, with some improvements to clarify and some minor amendments proposed where issues were identified through pre-consultation

and analysis of the implementation of the existing bylaw and policy. For example there are some changes proposed to dog exercise areas.

The key stakeholders affected by the Bylaw and Policy include:

- Dog owners and handlers
- Residents living near dog access areas
- People who regularly use public spaces in the District

There has been increased public concern about dog control nationally. The Government has also indicated that changes to the Dog Control Act 1996 will be introduced in 2027. Minor amendments have therefore been made to strengthen and provide clarity around owners' responsibilities to keep their dogs under control. These changes align as much as possible with the changes that the Government has signaled.

Some provisions have also been proposed to aligned with the Manawatū District Council's Dog Control Bylaw and Policy. These minor amendments are intended to promote consistency and support the shared animal-control service arrangement between the two councils.

A summary of the key proposed changes is provided in the table below:

Changes we are proposing	Reasons for our proposed changes
Dog Control Bylaw	
General amendments to the structure, text, and layout of the bylaw	The Bylaw has been restructured including 'signposting' into 'parts' (i.e. introduction, keeping of dogs etc.), with subsequent changes proposed to the layout/sequence of provisions, and minor changes to the text to improve readability and provide clarity.
Section 6 INTERPRETATION – Under Control	
The definition of Under Control	The definition has been updated to align with the shared services and to clarify that the person in charge must be capable of controlling or restraining the dog.
Terms defined in the Act have the same meaning in the Bylaw	To reduce duplication and ensure terminology is consistent across the Dog Control Act 1996 and Bylaw.
Section 7 CONTROL OF DOGS IN PUBLIC PLACES	
Owners must have their dog under control and be carrying a leash in dog exercise areas	This supports owners' obligations under the Act.

Section 8 VEHICLE PROVISION	
Vehicle provision moved into a separate section	This was part of section 7 control of dogs in public places but has been separated out because it is not limited to the control of dogs in public places.
Section 9 DOG PROHIBITED AREAS	
Removal of picnic areas as a prohibited area	This is too broad, and there are areas in the district that are defined as picnic areas but could accommodate dogs on leash.
Section 11 DESIGNATED DOG EXERCISE AREAS	
Removal of the north east section of Taihape Domain as a dog exercise area	This has been changed from a ‘dog exercise area’ to a ‘dog on leash at all times area’. As this area is regularly grazed by sheep it is more appropriate for it to be an on leash area.
Section 12 REMOVAL OF FAECES	
Requirement to carry a suitable waste bag	Clause 7.2.6 of the Policy has this requirement. This change will help address the concern raised in the pre-engagement survey.
Section 14 MINIMUM STANDARDS FOR THE ACCOMODATION AND CARE OF DOG	
Kennels must be at least 1.8 metres from a boundary	The minimum distance is proposed to increase from 1 metre to 1.8 metres to help reduce potential nuisance effects, including barking, and to align with shared services arrangements.
Section 15 CONFINEMENT OF DOGS	
Confinement appropriate to the dog	This aligns with section 14 minimum standards for the accommodation and care of dogs.
Section 17 ABATEMENT OR INTERVENTON IN RELATION TO NUISANCE	
New sub section	This aligns with the shared services and provides transparency and timeframes for dog owners.
Compliance with a nuisance notice	
Section 18 NUMBER OF DOGS AT A RESIDENTIAL ADDRESS	
Multi-dog permit expiration	This is to provide clarity to permit holders for the process that they must reapply after three years.
Section 22 Maps	
Taihape Domain - northeastern section of Taihape Domain	This has been changed from a dog exercise area to a dog on leash at all times area to better reflect the activities in the area.

Taihape Papakai Park added	This has been added as a dog on leash at all times area to provide additional spaces for dogs exercise.
Hunternville Queens Park	This has been added as a dog on leash at all times area to provide more spaces for dog exercise.
Dog Control and Owner Responsibility Policy	
Amendments to the structure and text of the Policy	Some amendments are proposed to the wording in the Policy to improve readability and provide clarity.
Section 2 – DEFINITIONS	
Responsible Owner updated to Good Owner	This has been updated throughout the Policy to reflect Council's Fees and Charges.
Removal of picnic areas as a prohibited area	This is too broad, and there are areas in the district that are defined as picnic areas but could accommodate dogs on leash.
Section 6.3.7 Number of Dogs at a Residential Address	
Number of Dogs at a Residential Address has been added to the Policy.	This has been included in the Bylaw but not the Policy.
Section 6.8 Dog Exercise Areas	
Taihape Domain has been removed as a large off leash area	This has been changed from a dog exercise area to a dog on leash at all times to better reflect the activities in the area.
Turakina Reserve has been added to the Dog and Exercise Areas	This has been included in the Bylaw not the Policy.

Assessment of the bylaw

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A copy of Council's findings report including its section 155 determination is attached as Appendix 3.

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Rangitikei District Council - Control of Dogs Bylaw

Part 1 - Introduction

1. INTRODUCTIONSCOPE

1.1. Pursuant to the powers vested in it by the Local Government Act 2002~~and amendments, together with~~ the Dog Control Act 1996~~and amendments~~, the Impounding Act 1955~~and amendments~~, together with every other power and authority conferred on it, the Rangitikei District Council hereby makes this ~~B~~bylaw.

2. SHORT-TITLE AND COMMENCEMENT

2.1. The ~~short~~ title of this bylaw is the Rangitikei District Council Control of Dogs Bylaw 20xx16.

2.2. This bylaw shall come into force on xx xxxx 20xx.

3. APPLICATION OF BYLAW

1-1-3.1. ~~_____~~ The Control of Dogs Bylaw 20xx (the Bylaw) applies to the whole Rangitikei District unless otherwise stated.

4. REVOCATION

1-2-4.1. ~~_____~~ As from the date on which this Bylaw comes into force, the Rangitikei District Council Bylaw 2014 adopted on 28 November 2016 shall be repealed. However, with respect to infringement notices issued or the enforcement of any offences which occurred prior to the commencement of this Bylaw the Rangitikei District Council Bylaw 20104 will continue to apply.

2-5. PURPOSE OF THE BYLAW

5.1. The purpose of this Bylaw is to give effect to the Rangitikei District Council Dog Control and Owner Responsibility Policy 20xx16 by specifying standards of control ~~and other requirement~~ which must be observed by dog owners in the Rangitikei District.

2-1-5.2. ~~_____~~ The requirements are deemed necessary to ensure compliance with the Dog Control Act 1996, including the regulation and control of dogs in public places, effective control and prescribed minimum standards of care for dogs, provision for the impounding of dogs that are found to be in breach of the bylaw, and the prevention of danger, distress and nuisance caused by dogs. and to give effect to the objectives of that Act. and the Council's Dog Control and Owner Responsibility Policy.

3.—SCOPE OF THE BYLAW

3.1. ~~Under Section 10(6) of the Dog Control Act 1996 Council must give effect to the Policy adopted under Section 10 of the Act by adopting the necessary bylaw under Section 20 of the Act.~~

3.2. ~~Section 20(1) of the Act permits Council in accordance with the Local Government Act 2002, to make bylaws for all or any of the following purposes:~~

- ~~a) prohibiting dogs, whether under control or not, from specified public places;~~
- ~~b) requiring dogs, other than working dogs, to be controlled on a leash in specified public places, or in public places in specified areas or parts of the district;~~

- ~~c)—regulating and controlling dogs in any other public place;~~
- ~~d)—designating specified areas as dog exercise areas;~~
- ~~e)—prescribing minimum standards for the accommodation of dogs;~~
- ~~f)—limiting the number of dogs that may be kept on any land or premises;~~
- ~~g)—requiring dogs in its district to be tied up or otherwise confined during a specified period commencing not earlier than half an hour after sunset, and ending not later than half an hour before sunrise;~~
- ~~h)—requiring the owner of any dog that defecates in a public place or on land or premises other than that occupied by the owner to immediately remove the faeces;~~
- ~~i)—requiring any bitch to be confined but adequately exercised while in season;~~
- ~~j)—providing for the impounding of dogs, whether or not they are wearing a collar having the proper label or disc attached, that are found at large in breach of any bylaw made by the territorial authority under this or any other Act;~~
- ~~k)—requiring the owner of any dog (being a dog that, on a number of occasions, has not been kept under control) to cause that dog to be neutered (whether or not the owner of the dog has been convicted of an offence against Section 53);~~
- ~~l)—any other purpose that from time to time is, in the opinion of the territorial authority, necessary or desirable to further the control of dogs.~~

~~3.3.-Pursuant to Section 20(3) of the Act no bylaw authorised by any of the provisions of paragraphs (a) to (d) of subsection (1) above shall have effect in respect of any land for the time being included in—~~

- ~~a)—a controlled dog area or open dog area under section 262S of the Conservation Act 1987; or~~
- ~~b)—a national park constituted under the National Parks Act 1980; or~~
- ~~c)—Te Urewera, as defined by section 7 of the Te Urewera Act 2014.~~

~~3.4.-This Bylaw is authorised by Section 20 of the Dog Control Act 1996 and is made in accordance with the Local Government Act 2002.~~

~~3.5.-Under Section 20(5) of the Act any person who commits a breach of this Bylaw commits an offence and is liable on conviction to the penalty prescribed by section 242(4) of the Local Government Act 2002.~~

~~3.6.-An injunction preventing a person from committing a breach of any bylaw authorised by Section 20(5) of the Act may be granted in accordance with section 162 of the Local Government Act 2002.~~

~~4.—SHORT TITLE~~

~~4.1.-The short title of this bylaw is the Rangitikei District Council Control of Dogs Bylaw 2016.~~

~~—COMMENCEMENT~~

~~—This bylaw shall commence on 26xx Mayxxxx 20xx16.~~

~~—REVOCATION OF THE BYLAW~~

~~—This bylaw repeals the Rangitikei District Council Bylaw 2014 adopted on 28 November 2016. However, with respect to infringement notices issued or the enforcement of any offences which occurred prior to the commencement of this Bylaw the Rangitikei District Council Bylaw 2004 will continue to apply.~~

~~5.—APPLICATION OF BYLAW~~

~~—This bylaw applies to the whole Rangitikei District unless otherwise stated.~~

6. INTERPRETATION

6.1. In this bylaw the terms used have the meaning given to them in the Dog Control Act 1996, except these terms which have the following meanings:

“Act” means the Dog Control Act 1996.

“At large” means at liberty, free, not restrained.

“Bylaw” means the Rangitikei District Council Control of Dogs Bylaw.

“Confined” means enclosed securely in a building or vehicle or tied securely to an immovable fixture on a premise or within an enclosure from which the dog cannot escape.

~~**“Under Control”** means a dog that is under the direct control of a person either through the use of a leash, voice or hand commands (when in a leash free area) or which has its movements physically limited through the use of a leash and/or muzzle.~~

“Council” means Rangitikei District Council.

“Designated Dog Exercise Area” means a public place designated for the exercise of dogs under this bylaw, ~~where a dog may be exercised off a leash but under control and where the person responsible for the dog must be carrying a leash.~~

“District” means the Rangitikei District.

“Dog Control Officer” means a dog control officer appointed under Section 11 of the Act; and includes a warranted officer exercising powers under Section 17 of the Act.

“Dog Ranger” means a dog ranger appointed under Section 12 of the Act; and includes an honorary dog ranger.

“Policy” means the Rangitikei District Council Dog Control and Owner Responsibility Policy.

~~**“Public Place”** has the same meaning as defined under the Act.~~

“Occupier” means any person, who is not the owner of the land or premises in question, who has the right to occupy and use the land or premises by virtue of a lease, sub-lease, licence or renewal thereof, granted by the owner of the land or premises.

“Owner” has the same meaning as defined in Section 2 of the Dog Control Act 1996 and shall include any person who has a dog in their possession for the purpose of caring for such dog for a short period of time on behalf of the owner.

~~**“Under Control”** means, when referring to a dog, either a dog that has its movements physically limited through the use of a leash and/or muzzle which controlled on a Leash that is being held by someone that is capable of restraining the dog, or a dog under~~

~~direct control such as by being held, or controlled by voice command where the dog must be within sight and obeys commands immediately and without hesitation or which has its movements physically limited through the use of a leash and/or muzzle.~~

~~“Working Dog” has the same meaning as defined under the Act.~~

~~6.2. To avoid doubt, unless the context requires another meaning, a term of expression that is defined in the Act and used in this Bylaw, but not defined, has the meaning given by the Act.~~

~~7.—PENALTIES~~

~~7.1.—Every person who commits a breach of this bylaw is liable to either:~~

~~a) —An infringement fee not exceeding \$750 or~~

~~—An infringement offence under the Dog Control Act 1996, Council may issue an infringement notice requiring payment of the applicable infringement fee prescribed by the Act.~~

~~b) —A person who fails to comply with this Bylaw commits an offence under section 20(5) of the Dog Control Act 1996 and is liable, on conviction, to a fine not exceeding \$20,000. Upon summary conviction, a fine not exceeding \$20,000~~

Part 2 – Dogs in Public Places

~~8.7. CONTROL OF DOGS IN PUBLIC PLACES SPACES~~

~~8.1.7.1. Every oOwner of a dog must keep their dog uUnder cControl in all pPublic pPlaces and at all times.~~

~~7.2. An owner or the person responsible for, or having custody, possession or control of, a dog must have his or her dog on a leash at all times when the dog is in a public place.~~

~~7.3. Clause 7.2 does not apply toE(excluding:~~

~~a) Tthose areas which are designated as ‘prohibited areas’ or ‘dog exercise and recreation areas’ in which case a leash must be carried).~~

~~b) A working dog is not required to be on a leash in a public place, while it is working if it is not normally on a leash when it is carrying out its the function as a working dog, if that function requires work them to be off leash being undertaken.~~

8. VEHICLE PROVISION

~~9.~~

~~8.1. Any dog which is placed on an open tray of a vehicle must be kept restrained by a leash or chain of a length which is sufficiently short to ensure that the dog cannot fall from the vehicle or rush at passers-by. This provision will not apply if the dog is placed in a cage or similar enclosure which can adequately contain it.~~

9. DOG PROHIBITED AREAS

~~9.1. All dogs (except working dogs whilst carrying out their function as a working dog) shall be prohibited from the following areas:~~

~~9.1.~~

~~a) All public buildings;~~

- b) The playing surfaces of sports grounds and up to 20 metres of the playing surfaces where contained within the perimeter fence of the sports ground;
- c) Public swimming pools;
- d) All children's playgrounds in public places;
- ~~e) Picnic areas;~~
- e) Wilson Road stock route, Hunterville.

10. DOG SHOWS

10.1. ~~Clause 911.1(a) All public buildings, above~~ does not apply to ~~the any~~ use of ~~any prohibited public place a building or swimming pool~~ for the purposes of a dog show, ~~subject to the show~~ not exceeding 48 hours ~~in length~~ and ~~the organiser having sought and obtained~~ authorisation ~~in writing from the Property Manager in conjunction with Manager Animal Control an authorised Council officer~~ prior to the show ~~commencing by Council's principal administrative officer.~~

11. DESIGNATED ~~DSOG EXERCISE AND RECREATION~~ AREAS

11.1. ~~13.1~~ Council may ~~from time to time~~, declare by resolution any public place, ~~except in all cases the playing surfaces of sports grounds and up to 20 metres of the playing surfaces where contained within the perimeter fence of the sports ground~~, to be a designated dog exercise area, ~~as in accordance with the Dog Control Act 1996 at any time except for the prohibited areas as listed in clause 911 as Dog Prohibited Areas.~~

11.2. The following areas within the District are designated dog exercise areas:

- a) The northern section of the Bulls Domain, Bulls;
- ~~b) The north-eastern section of Taihape Domain, Taihape;~~
- ~~c)b)~~ The periphery of Wilson Park, Marton (and excluding the children's playground);
- ~~d)c)~~ 16-18 Robin Street, Taihape¹.
- d) Turakina Reserve

11.3. Maps of these areas are included as an appendix.

11.4. Within a dog exercise ~~and recreation~~ area the owner of a dog shall ensure that the dog is under their continuous control but shall not be obliged to keep the dog on a leash, ~~however, they must still carry a leash.~~

12. REMOVAL OF FAECES

12.1. Every owner or person in charge of a dog must carry a suitable waste bag when taking the dog into any public place.

12.2. The owner of any dog, or person responsible for the dog at the time, that defecates in a public place, or on land not occupied or owned by the owner, must immediately remove and dispose of the faeces in a way that does not cause a nuisance.

13. AGGRAVATION OF DOGS

¹ So long as it remains available for this purpose under the licence from the Ministry of Justice.

13.1. A person must not intentionally or negligently provoke, tease, incite, encourage or otherwise cause a dog to behave in a manner that would constitute a breach of the obligations imposed by Section 5(1)(e), (f) or (g) of the Act.

Part 3 – Keeping of Dogs

~~12~~14. MINIMUM STANDARDS FOR THE ACCOMODATION AND CARE OF DOGS

14.1. Every owner must provide their dog with a kennel that meets the following standards:

- a) There is sufficient room for the dog to stand up and turn around;
- b) The kennel is on dry ground and sheltered from the elements;
- c) The kennel must be a solid structure with a roof and floor;
- d) The kennel and its surrounds must be kept in a clean and sanitary condition.
- ~~d)–~~

14.2. No owner shall permit a kennel to be located closer than 1.8 metres to any boundary of the premises, without first obtaining an exemption from a Dog Control Officer.

14.3. If a kennel is not provided, dogs must be confined inside premises with an adequate sleeping area provided.

- ~~e)–That the dog receives proper care and attention and is supplied with proper and sufficient food and water;~~
- ~~f)–That the dog is not fed, nor has access to, any untreated sheep or goat meat.~~
- ~~—That the dog receives adequate exercise.~~

14.4. Every owner of a dog must ensure at all times:

- ~~g)a)~~ That the dog receives proper care and attention and is supplied with appropriate ~~proper~~ and sufficient food and water;
- ~~h)b)~~ That the dog is not fed, nor has access to, any raw offal or any untreated sheep or goat meat: (tThis is to prevent the spread of parasitic disease).
- ~~c)~~ That the dog receives adequate exercise.
- d) That the dog receives timely and appropriate treatment when ill or injured.

~~—No owner shall permit a kennel to be located closer than 1 metre to any boundary of the premises.~~

~~13~~15. CONFINEMENT OF DOGS

15.1. The owner of any dog must provide means of confining the dog upon the owner's property so that it is unable to gain access to any other private property or to any public place.

15.2. The means of confinement must be appropriate for the size, age and behavioural characteristics of the dog and must always be maintained in a secure and effective condition.

~~14~~16. BITCHES IN SEASON AND DISEASED DOGS

~~14.1.16.1.~~ The owner of a bitch dog in season or any dog suffering from an infectious disease, distemper or mange shall at all times ensure the dog does not enter on or remain in a public place or on any land or premises other than the land or premises occupied or owned by the owner of the dog, or at a registered veterinary clinic.

~~14.2.16.2.~~ The owner of any bitch dog in season or dog suffering an infectious disease, distemper or mange must do the following:

- a) Keep the dog confined;
- b) Provide the dog with adequate food, water, veterinary care and exercise.

~~15.-REMOVAL OF FAECES~~

~~— Every owner or person in charge of a dog must carry a suitable waste bag when taking the dog into any Public Place~~

~~16.3. The Owner of any dog that defecates in a Public Place, or on land not occupied by the Owner, must immediately remove and dispose of the faeces in a way that does not cause a Nuisance. The owner of a dog that defecates on any land or premises, other than that occupied by the owner, must promptly remove and dispose of the faeces.~~

~~15.1.~~

~~16.-AGGRAVATION OF DOGS~~

~~— No person shall wilfully or negligently cause any dog to behave or contribute to any dog behaving in such a manner that would, if that person were the owner of the dog constitute a breach of the obligations imposed by Section 5(1)(e), (f) or (g) of the Act. A person must not intentionally or negligently provoke, tease, incite, encourage or otherwise cause a dog to behave in a manner that would constitute a breach of the obligations imposed by Section 5(1)(e), (f) or (g) of the Act.~~

~~17. ABATEMENT OR INTERVENTION IN RELATION TO NUISANCE~~

17.1. Where a dog (or dogs) on any property has become, or is likely to become, a nuisance or injurious to health, a notice will be issued to the owner at the discretion of a ~~D~~og ~~C~~ontrol ~~O~~fficer or ~~D~~og ~~R~~anger.

17.2. The notice will request the owner within a specific timeframe to complete reasonable actions to minimise or remove said nuisance or injury to health and can include the following:

- a) reducing the number of dogs living on the property
- b) repairing kennel so that it meets Council's minimum standards of accommodation
- c) constructing a new kennel so that it meets Council's minimum standards of accommodation

~~17.3. The oOwner or oOccupier of the pPremises must comply with a notice issued under clause 178.1 within the time specified in such notice, not being less than 14 days.~~

~~BARKING DOGS~~

~~18.17.4. Where a Dog Control Officer has reasonable grounds to believe that a dog is causing a nuisance by persistently and loudly barking or howling, the Dog Control Officer may take action under in accordance with section 55 and section 56 of the Dog Control Act 1996.~~

~~19.18. NUMBER OF DOGS AT A RESIDENTIAL ADDRESS~~

~~19.1.18.1. No occupier/s of any property in a residential area (as per Council's operative District Plan or equivalent transitional plan) shall allow, or cause to remain or keep on~~

the property, more than two (2) dogs, over the age of three (3) months (whether or not such dogs are registered), unless the occupier has obtained a multi-dog permit from Council.

~~18.2.~~ Any person requesting to allow, or seeking to keep, more than two (2) dogs over the age of three (3) months on any premises, shall apply in writing to Council in such form as required by Council for a multi-dog permit. If issued the permit is valid for up a three (3) year period.

~~19.2:18.3.~~ A multi-dog permit ~~and fee~~ may be issued at Council's discretion following receipt of an application and the specified fee. ~~upon or~~ The permit may be subject to such terms, conditions or restrictions as Council ~~may~~ considers appropriate and/or necessary. ~~and Any breach of such the specified~~ terms, conditions or restrictions shall result in revocation of the permit.

~~Any person requesting to allow or cause to remain or to keep more than two (2) dogs on any premises as provided in the Bylaw shall apply in writing to Council in such form as may be required by Council for a multi-dog permit. The permit issued is for a three (3) year period and then the Owner must reapply.~~

Part 4 – Impounding and Penalties

20.19. IMPOUNDING OF DOG FOUND IN BREACH OF THIS BYLAW

~~20.1:19.1.~~ Any dog found at large in breach of this ~~B~~ylaw, whether or not it is wearing a registration label or disc as required by the Act, may be seized and impounded by a Dog Control Officer or a Dog Ranger.

~~20.2:19.2.~~ As soon as practicable after any dog has been impounded Council shall:

- a) In the case of a dog wearing a registration label or disc or where the owner of the dog is known through some other means, give written notice to the owner that the dog has been impounded and unless the dog is claimed and any fee payable paid within seven (7) days of receipt of the notice, it may be sold, euthanised or otherwise disposed of in such a manner as Council sees fit; and after the expiry of that period Council may so dispose of the dog.
- b) Where the owner of the dog is not known or despite reasonable enquiry cannot be identified, Council may, after the expiration of seven (7) days after the date of the seizure and impounding of the dog, sell, euthanise ~~seize~~ or otherwise dispose of the dog in such manner as it thinks fit.
- c) No dog which is not registered in accordance with the Act shall be released until it is registered, micro chipped and all fees due paid in full.
- d) The sale, destruction or disposal of any dog in accordance with this Bylaw shall not relieve the owner of the dog of liability for the payment of any fees or penalties payable under this Bylaw.

20. PENALTIES

20.1. Every person who breaches this Bylaw commits an offence.

20.2. Every person who commits an offence under this Bylaw is liable:

- a) Under the Dog Control Act 1996 and may be served with an infringement notice in accordance with section 65 and section 66 of the Act, and shall be liable to the

~~infringement fee prescribed in Schedule 1 of that Act; or An infringement offence under the Dog Control Act 1996, Council may issue an infringement notice requiring payment of the applicable infringement fee prescribed by the Act.~~

~~—~~On summary conviction to a fine as specified in section 242 of the Local Government Act 2002.

~~A person who fails to comply with this Bylaw commits an offence under section 20(5) of the Dog Control Act 1996 and is liable, on conviction, to a fine not exceeding \$20,000.~~

21. DATE BYLAW MADE

21.1. This Bylaw was made by the ~~Rangitikei~~ District Council, passed and adopted at a meeting of Council on ~~to be updated~~~~26th May 2016~~.

22. MAPS



RDC Dog Control Areas

- Dog exercise area
- Dog exercise area (enclosed)
- Dogs excluded
- Dogs on leash at all times







RDC Dog Control Areas

- Dog exercise area
- Dog exercise area (enclosed)
- Dogs excluded
- Dogs on leash at all times



RDC Dog Control Areas

- Dog exercise area
- Dog exercise area (enclosed)
- Dogs excluded
- Dogs on leash at all times





RDC Dog Control Areas

- Dog exercise area
- Dog exercise area (enclosed)
- Dogs excluded
- Dogs on leash at all times

Appendix 2



Rangitikei District Council

Policy Title	Dog Control and Owner Responsibility Policy
Date of Adoption by Council	26/05/2016
Resolution Number	16/RDC/129
Date by which review must be completed	26/05/2026
Statutory reference for adoption	Dog Control Act 1996
Statutory reference for review	Dog Control Act 1996 Section 10 and 10AA Local Government Act 2002 Section 83
Included in the LTP	No

~~PROPOSED~~

~~DOG CONTROL AND OWNER RESPONSIBILITY POLICY~~

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ABSTRACT

- ❖ Section 10 of the Dog Control Act statutorily mandates Council to develop and adopt a policy on dogs in accordance with the special consultative procedure set out in Section 83 of the Local Government Act 2002.
- ❖ Council must give effect to the enforcement of this policy by developing and adopting under Section 20 of the Act the necessary Control of Dogs Bylaw.
- ❖ Council wishes to encourage dog ownership with the accompanying positive effects such ownership brings, however, Council recognises that this must be balanced by ensuring measures are in place to minimise and mitigate problems that dogs can cause.

1. INTRODUCTION

- 1.1. Under the Dog Control Act 1996 ~~(the Act)~~ Council is responsible for both administering and enforcing the ~~Dog Control Act 1996~~ within the ~~Rangitikei District and must adopt a dog control policy, its territorial district and developing a dog control bylaw.~~ This policy forms the basis of the Rangitikei District Council Dog Control Bylaw 2014 XXXX which is made pursuant to Section 20 of the Act and sets out a framework on how Council proposes to implement the various measures prescribed by the Act as being the responsibility of Council, meet community outcomes and Council's performance measures for dog control as set out in ~~Council's its 10 Year~~ Long Term Plan.
- 1.2. Council acknowledges that the majority of dog owners within the Rangitikei ~~D~~istrict are responsible dog owners and that most interactions between dogs and people are positive. However, ~~there will always be instances when a dogs can sometimes cause becomes~~ a nuisance or danger to the community. A core feature of this policy is ensuring a balance is maintained between public safety, ~~and community wellbeing and meeting the basic and~~ recreational needs of dogs and their owners.
- 1.3. In developing this policy ~~Rangitikei District Council (Council)~~ has had regard to the urban / rural character of the Rangitikei ~~D~~istrict and has sought to encourage and reward responsible dog ownership recognising the value of well-behaved dogs whilst ensuring adequate measures are in place to minimise or mitigate the ~~potential~~ nuisance to the community that dogs can cause.

2. DEFINITIONS

"Act" means the Dog Control Act 1996 and any amendments to it.

"At Large" means at liberty, free, not restrained.

"Bylaw" means the Control of Dogs Bylaw ~~XXXX 2014.~~

"Confined" means enclosed securely in a building or vehicle or tied securely to an immovable fixture on a premise or within an enclosure from which the dog cannot escape.

“Dangerous Dog” means any dog that behaves aggressively or threatens the safety of any person, stock, poultry, domestic animal or protected wildlife as defined, under Section 31 of the Act.

~~“Disability Assist Dog” has the same meaning as defined under the Act.~~

~~“Dog Control Officer” means a dog control officer appointed under Section 11 of the Act; and includes a warranted officer exercising powers under Section 17 of the Act.~~

~~“Dog Ranger” means a dog ranger appointed under Section 12 of the Act; and includes an honorary dog ranger.~~

~~“Senior Dog Control Officer” is of the same meaning as “Dog Control Officer” with the addition of further delegated responsibilities.~~

~~“Domestic Animal” has the same meaning as defined under the Act.~~

“Council” means the Rangitikei District Council.

~~“Infringement Offence” has the meaning given to it under Section 65(1) of the Act.~~

“Menacing Dog” has the same meaning as defined under the Act and means any dog that Council considers may pose a threat to any person, stock, poultry, domestic animal or protected wildlife due to either observed or reported behaviour or dogs which are classified as menacing under Section 33A or 33C of the Act.

~~“Neutered Dog” has the same meaning as defined under the Act.~~

“Non – Working Dog” means all dogs that are not working dogs as defined in this Policy.

~~“Owner” has the same meaning as defined under the Act.~~

“Policy” means the Dog Control and Owner Responsibility Policy.

~~“Poultry” has the same meaning as defined under the Act.~~

“Probationary owner” means a dog owner who has received three or more infringement notices in a 24 month period or been convicted of any offence under the Act or any offence against Part 1 or Part 2 of the Animal Welfare Act 1999 in respect of a dog, or any offence against Section 26ZZP of the Conservation Act 1987, or Section 561 of the National Parks Act 1980.

~~“Protected Wildlife” has the same meaning as defined under the Act.~~

~~“Public Place” has the same meaning as defined under the Act.~~

~~“Under Control” means a dog that is under the direct control of a person either through the use of a leash, voice or hand commands (when in a leash free area) or which has its movements physically limited through the use of a leash and / or muzzle.~~

“Registration Year” has the same meaning as that given to the term “financial year” in Section 5(1) of the Local Government Act 2002.

~~“Roaming Dog” has the meaning given under section 52 of the Act any is any dog unaccompanied by its owner found in a public place or on private land or premises other than that occupied by the owner.~~

“Good Owner” means any person who demonstrates to the satisfaction of a Council Dog Control Officer, that they are able to comply with the requirements as specified in section 6.5.1 of this policy.

~~“Rushing” has the same meaning as defined under Section 57 (1) of the Act and includes a dog in a public place which rushes at, or startles any person or animal in a manner that causes a person to be killed, injured or endangered; or any property to be damaged or endangered; or which rushes any vehicle in a manner that causes or is likely to cause an accident.~~

“Senior Dog Control Officer” is of the same meaning as “Dog Control Officer” with the addition of further delegated responsibilities.

~~“Stock” has the same meaning as defined under the Act.~~

“Under Control” means, when referring to a dog, either a dog that has its movements physically limited through the use of a leash and/or muzzle which is being held by someone that is capable of restraining the dog, or a dog under direct control such as by being held, or controlled by voice command where the dog must be within sight and obeys commands immediately and without hesitation. “Under Control” means, when referring to a dog, either controlled on a leash that is being held by someone that is capable of restraining the dog, under direct control such as by being held, or controlled by voice command where the dog must be within sight and obeys commands without hesitation or which has its movements physically limited through the use of a leash and/or muzzle.

- 2.1. To avoid doubt, unless the context requires another meaning, a term of expression that is defined in the Act and used in this Policy, but not defined, has the meaning given by the Act.

~~“Working Dog” has the same meaning as defined under the Act.~~

3. LEGISLATIVE CONTEXT

- 3.1. The objectives of the ~~Dog Control Act 1996~~ are to provide for the care and control of dogs and to address damage caused by dogs. The Act supports these objectives through:

- a) Requiring the registration of dogs
- b) Special provision in relation dangerous dogs and menacing dogs
- c) Obligations for owners of dogs to prevent their dogs from causing a nuisance, injury, endanger or cause distress to any person
- d) Obligations for owners of dogs to prevent their dogs from causing a nuisance, injury, endanger or cause distress to any stock, poultry, domestic animal, or protected wildlife
- e) Provision in relation to damage caused by dogs.

² ~~Section 4 of the Act states that the purpose of the Act is~~

~~“(a) to make better provision for the care and control of dogs —~~

- ~~2 by requiring the registration of dogs; and~~
- ~~2 by making special provision in relation to dangerous dogs and menacing dogs; and~~
- ~~2 by imposing on the owners of dogs, obligations designed to ensure that dogs do not cause a nuisance to any person and do not injure, endanger, or cause distress to any person; and~~
- ~~2 by imposing on owners of dogs obligations designed to ensure that dogs do not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife; and~~
- ~~(b) to make provision in relation to damage caused by dogs.~~

3.2 Dog owners are responsible for their dog and its behaviour. Section 5 of the Act sets out statutory obligations for every dog owner which they are required to comply with and include:

- a) Registering their dog and notifying the relevant territorial authority of any change of address or ownership
- b) Keeping their dog under control at all times
- c) Ensuring that their dog receives proper care and attention and has sufficient food, water and shelter
- d) Providing their dog with adequate exercise
- e) Taking all reasonable steps to ensure that their dog does not cause a nuisance to any other person
- f) Taking all reasonable steps to ensure that the dog does not injure, endanger intimidate or otherwise cause distress to any other person
- g) Taking all reasonable steps to ensure that their dog does not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife.
- h) Taking all reasonable steps to ensure that their dog does not damage or endanger any property belonging to any other person.
- i) Complying with the requirements of the Act and all regulations and bylaws made under the Act

~~“(a) Ensuring that the dog is registered in accordance with the Act and that all relevant territorial authorities are promptly notified of any change of address or ownership of the dog;~~

~~(b) Ensuring that the dog is kept under control at all times;~~

~~(c) Ensuring that the dog receives proper care and attention and is supplied with proper and sufficient food, water and shelter;~~

~~(d) Ensuring that the dog receives adequate exercise;~~

~~(e) Taking all reasonable steps 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) Taking all reasonable steps to ensure that the dog does not injure, endanger, intimidate, or otherwise cause distress to any person;~~

~~(g) Taking all reasonable steps to ensure that the dog does not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife;~~

~~(h) Taking all reasonable steps to ensure that the dog does not damage or endanger any property belonging to any other person;~~

~~(i) Complying with the requirements of the Act and of all regulations and bylaws made under the Act.~~

3.3 Nothing in the Act limits the obligations of any owner of a dog to comply with the requirements of any other Act or of any regulations or bylaw regulating the control, keeping, and treatment of dogs.

POLICY CONSIDERATIONS

~~Dog control is a statutory regulatory function which Council is required under Section 6 of the Act to provide. Further, Council is required under Section 10 of the Act to adopt a dog control policy which must:-~~

~~Specify the nature and application of any bylaw made or to be made under Section 20;-~~

~~Identify any public place from which dogs are to be prohibited, either generally or at specified times, pursuant to a bylaw made under Section 20(1)(a);-~~

~~Identify any particular public place, and any areas or parts of the district in which dogs (other than working dogs) in public places are required by a bylaw made under Section 20(1)(b) to be kept on a leash;-~~

~~Identify those areas or parts of the district in respect of which no public place or area has been identified under paragraph (b) or (c) above; and-~~

~~Identify any space within areas or parts of the district that are to be designated as dog exercise areas permitting dogs to be exercised at large;-~~

~~State whether dogs classified by any other Council as menacing dogs under Section 33A or 33C are required to be neutered under Section 33EB(2) if the dog is currently registered with Council and, if so whether the requirement applies to all such dogs and if not, the matters Council will take into account when determining whether a particular dog must be neutered;-~~

~~Include such other details of the policy as Council thinks fit including, but not limited to, details of the policy in relation to:-~~

~~Fees or proposed fees;-~~

~~Owner education programmes;-~~

~~Dog obedience courses;-~~

~~The classification of owners;-~~

~~The disqualification of owners; and-~~

~~The issuing of infringement notices~~

4. POLICY OBJECTIVES

~~Council seeks to promote a high standard of dog care and control so that people can enjoy the benefits of a dog ownership without adversely affecting other members of the public, and for people of all ages to feel safe in our communities during their interactions with dogs.-~~

~~4.1 As required by~~The objectives of this Policy are guided by sSection 10(4) of the Act, and this includes this policy has been developed made having regard to the need to:

- a) Minimise danger, distress and nuisance to the community;
- b) Avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults; ~~and~~
- c) Enable, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and
- d) Provide for the exercise and recreational needs of dogs and their owners

~~4.2~~ Additional Council recognises the need to encourage responsible dog ownership so that owners take all reasonable steps to ensure that their dogs do not cause a nuisance to other people or other animals.

5. SHARED SERVICES AND COMMUNITY PARTNERSHIPS

~~5.1.5.1.~~ Council Officers liaise on dog control issues (as appropriate) with key external community stakeholders such as the SPCA, veterinary surgeons, New Zealand Police, dog obedience clubs, kennel/dog breed clubs and adjoining councils.

~~Recent amendments to the Local Government Act 2002 require Council to fulfil its dog control obligations under the Act in an efficient and cost effective method. Council does this partly through contractual agreement with Manawatu District Council and Wanganui District Council.~~

5.2 Council delivers its animal control services through a joint service agreement with Manawātū District Council. This arrangement supports the coordinated, efficient and effective delivery of animal control services across both districts.

6 NATURE AND APPLICATION OF POLICY

6.1 FEES AND CHARGES

Registration fees

~~6.1.1~~ Registration of dogs is a central principle of the Act, with all registered dogs listed in the national dog database. Councils are statutorily required to keep a register of all dogs registered in their district and dog owners must ensure that their dogs are registered with Council each year. Dog registration is an effective tool for Council to use to communicate with known dog owners, and creates a valuable record detailing the history of each dog and dog owner within the district.

~~6.1.1~~

~~6.1.2~~ Council's tiered fee structure reflects a partial "user pays" system in that the dog control activity is partially funded through Council rates as the service incorporates an element of public good associated with community safety outcomes. Despite payment of both registration and impounding fees Council does not fully recover the costs associated with this regulatory activity.

~~6.1.2~~

~~6.1.3~~ The dog registration fees are set by Council each year and reflect the respective levels of service required by each category of dog owner. Payable by 31 July each registration year, reduced registration fees are payable for neutered dogs, working dogs, and approved Good Owners ~~"Responsible Owners"~~ providing an incentive for responsible dog ownership.

~~6.1.3~~

~~6.1.4~~ These reduced fees recognise the different demands placed on Council's animal control services and encourage responsible dog ownership.

~~A key component of this policy is the control of dogs within the district particularly unwanted dogs and accordingly registration fees for dogs which have been neutered are set lower than dogs which have not been neutered.~~

~~6.1.5~~ All dogs over the age of three months are required to be registered. Accordingly, when a dog is first registered only the balance of the current years' registration fee is payable.

6.1.5

6.1.6 Dog owners are required to advise Council promptly of any change of dog ownership or address.

6.1.6

6.1.7 Registration fees are set for all dogs over three months of age for each registration year. The registration fee shall be payable by 31 July in each registration year.

6.1.7

6.1.8 Pursuant to ~~s~~Section 32(1)(e) of the Act the registration fee of a dog classified as dangerous is 150% of the level that would apply if the dog were not so classified.

Penalties for late registration

6.1.9 Council may choose to apply a penalty fee on late registrations as stipulated under ~~s~~Section 37(3) of the ~~Dog Control Act 1996~~ and outlined in ~~the Council's current~~ ~~current~~ schedule of fees and charges.

Impounding fees

6.1.10 Council has a statutory duty of care pursuant to ~~s~~Sections 67-72 of the Act for all dogs impounded, seized or committed to its custody. Each year Council, pursuant to ~~s~~Section 68 of the Act, sets fees relating to the impounding, seizing or committing dogs to its custody and the costs associated with this activity.

6.1.11 These fees are intended to capture the costs of Council's Officers time undertaking such activities, the daily sustenance costs for impounded dogs and also the costs associated with euthanising impounded dogs. As part of the tiered user pays fees structure for dog control activities but also as a sanctioning / deterrent element of this policy Council resolved to impose higher pound fees on the owner of any dog which has a second or subsequent impoundment within a single 12 month period.

6.1.12 Before any impounded dog can be released into the care of its owner or rehomed all impounding fees and charges must be paid in full, and the dog (if not already) must be registered and micro chipped.

6.2 DOG CONTROL MATTERS

6.2.1 Dog owners must keep their dogs ~~(except for working dogs)~~ on a leash at all times when in a public place, (excluding those locations designated as dog exercise areas ~~in which a leash must be carried~~ or where dogs are specifically prohibited ~~in which a leash must be carried~~). Dog owners are required to keep their dog under continuous and effective control when in a public place.

6.2.2 Any dog which is placed on an open tray of a vehicle must be kept restrained by a leash or chain of a length which is sufficiently short to ensure that the dog cannot fall from the vehicle or rush at passers-by. This provision will not apply if the dog is placed in a suitable cage or box which can adequately contain it.

- 6.2.3 Bitches in season are not permitted to enter or remain upon a public place except a registered veterinary clinic and must be kept contained ~~upon~~ within their owner's property in such a way so that they are inaccessible to roaming dogs.
- 6.2.4 Dogs suffering from any infectious disease are not permitted to enter or remain upon a public place but must be kept contained within ~~their~~ owner's property or alternatively be confined at a registered veterinary clinic while the disease ~~is~~ is being medically treated.
- 6.2.5 Council provides signage to inform the community of areas where dogs are prohibited or required to be on a leash or where they may be exercised off the leash. Signage is also used to reinforce Councils requirement that dog owners remove their dog's faeces ~~from~~ when ~~on~~ public places.
- 6.2.6 Any dog owner or person responsible for a dog when out on any public place or upon land not owned or occupied by that person, must carry a suitable container or bag to collect and remove any dog faeces defecated by the dog under their control, and dispose of it in a sanitary manner. Dog faeces can contain bacterial disease or parasites which are potentially dangerous to public health particularly for children.
- 6.2.7 Any dog found roaming on any public place or private land not owned or occupied by its owner shall be in breach of Council's Control of Dogs Bylaw and may be impounded or destroyed.
- 6.2.8 All properties of registered dog owners will be checked by Council's ~~De~~dog ~~C~~ontrol ~~O~~fficers or ~~De~~dog ~~R~~angers within a five (5) year period in relation to the relevant contents of this Policy, the Council's Control of Dogs~~Dog Control~~ Bylaw, and ~~Dog Control~~the Act 1996.

6.3 DOG OWNERSHIP

Minimum Standard of Care

- 6.3.1 Dog ownership carries with it responsibilities on the part of the owner to provide the dog with proper facilities, care, attention and exercise. Failure to do so can lead to unhealthy conditions for the dog and give rise to nuisance to neighbours through odours, vermin, pests and noise from the dog barking or howling.
- 6.3.2 ~~Every owner, or person responsible for a dog must ensure that the area of the property that the dog has access to is fully fenced suitable for the purpose of confining the dog.~~ Every dog owner must provide adequate means of confining their dog to the owner's property and preventing the dog from gaining uncontrolled access to any public place or other property. Any fencing or enclosure used to confine a dog must be appropriate for the size and characteristics of the dog.
- 6.3.3 Every owner, in respect of every dog in the care of the owner, must provide accommodation, which meets the following minimum standards:
 - a) A weatherproof kennel in which there is sufficient room for the dog to stand up and turn around;
 - b) The kennel must be constructed on dry ground and be sheltered from the weather. It should be a solid structure with a roof and a floor, and allow the dog access to clean water at all times and be kept in a clean and sanitary condition.

- c) If a kennel is not provided, dogs must be confined inside premises with an adequate sleeping area provided.
- 6.3.4 The kennel must not be located nearer ~~than 1.8 one metres~~ to any boundary of the property. Failure to comply with this is an offence under ~~the Control of Dogs~~Council's Dog Control Bylaw and may result in an infringement notice being issued.
- 6.3.5 The dog owner must ensure that their dog is supplied with proper and sufficient food and water, is free from injury or infection or, is receiving proper care and attention for the injury or infection. Failure to comply with this is an offence under ~~the Control of Dogs- Council's~~ Dog Control Bylaw and may result in an infringement notice or prosecution under the Act.
- 6.3.6 Each dog owner must ensure that the dog receives adequate exercise. Where a case of neglect or cruelty to a dog is found an appropriate agency will be informed and the dog may be seized immediately. Dog owners must comply with the Animal Welfare Act 1999, the Animal Welfare (Care and Procedures) Regulations 2018 and any applicable codes of welfare.

Number of Dogs at a Residential Address

- 6.3.7 This policy ensures that multiple dogs are kept responsibly in residential areas, protecting animal welfare and minimising nuisance, health and safety risks to neighbouring properties and the wider community.
- 6.3.8 No occupier of a property situated in a residential area, as defined in the Council's District Plan, may allow or cause to remain, or keep on that property more than two (2) dogs over three months of age, whether registered or unregistered, unless the occupier has obtained a multi-dog permit from the Council. Any person wishing to keep more than ~~two~~2 dogs on a property must apply to the Council and obtain a multi dog permit, the application must be in writing using the form required by Council and approval is at ~~Council's~~ the discretion of the Manager – Animal Control.

6.4 DOG CLASSIFICATION

Dangerous Dog

- 6.4.1 Sections 31 – 33 of the Act set out the reasons how or why a dog may be classified as dangerous and the obligations and responsibilities such a classification imposes on the dog owner.
- 6.4.2 Pursuant to Section 31 of the Act Council must classify a dog as dangerous if:
 - a) the owner of the dog has been convicted of an offence in relation to the dog under section 57A(2)1 of the Act; or
 - b) the territorial authority has, on the basis of sworn evidence attesting to aggressive behaviour by the dog on one (1) 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.

- 6.4.3 When a dog is classified as dangerous Council must give the owner of the dog notice of its classification whereupon the owner has 14 days to object in writing to Council of its classification. The owner is entitled to be heard by Council in support of their objection to the classification.
- 6.4.4 The owner of a dog classified as dangerous must ensure that the dog is:
- a) kept contained within a securely fenced area of their owners property which it is not necessary to enter to obtain access to at least 1 door of any dwelling on the property;
 - b) kept confined within a vehicle or cage, or muzzled in such a manner to prevent the dog from biting but allowing it to breathe and drink without obstruction, or controlled on a leash (except when in a dog exercise area) when in a public place or private way; and
 - c) neutered or has been neutered within 1 month of receipt of the dangerous dog classification and produces to Council a veterinary certificate confirming this; or
 - d) there are reasons why the dog is not in a fit condition to be neutered before the date specified in the veterinary certificate. In such circumstances, the dog owner must produce to Council a certificate that the dog has been neutered within 1 month of the date specified in the veterinary certificate.
- 6.4.5 The owner of a dog which has been classified as dangerous is not permitted to transfer ownership of the dog without the prior written permission of Council. The obligations imposed by ~~s~~Section 32 of the Act and owning a dangerous dog transfer to any new owner.
- 6.4.6 The classification of a dangerous dog extends throughout all of New Zealand.

Menacing Dog

- 6.4.7 Sections 33A – 33EC of the Act set out the reasons how or why a dog may be classified as menacing and the obligations and responsibilities such a classification imposes on the dog owner.
- 6.4.8 Pursuant to Section 33A of the Act Council may classify a dog as menacing if:
- a) It has not been classified as a dangerous dog under section 31; but Council considers may pose a threat to any person, stock, poultry, domestic animal or protected wildlife because of any observed or reported behaviour of the dog; or any characteristics typically associated with the dog breed or type.
- 6.4.9 When a dog is classified as menacing pursuant to section 33A(2) of the Act Council must give the owner of the dog notice of its classification whereupon the owner has 14 days to object in writing to Council of its classification. The owner is entitled to be heard by Council in support of their objection to the classification.
- 6.4.10 The owner of a dog classified as menacing must ensure that the dog is:
- a) not allowed to be at large or in any public place or in any private way, except when kept confined within a vehicle or cage, or muzzled in such a manner to prevent the dog from biting but allowing it to breathe and drink without obstruction, or controlled on a leash (except when in a dog exercise area) when in a public place or private way; and

- b) neutered as required by a Manager Animal Control Senior Dog Control Officer, who at his/her discretion can, on a case by case basis, require a classified menacing dog to be neutered within a month of notice and for the owner to provide a veterinary certificate to Council as confirmation;
- c) In such circumstances where a dog is not in a fit condition to be neutered before the date specified by the Manager Animal Control Senior Dog Control Officer, the Owner must produce to Council a veterinary certificate advising of the date when neutering may take place, and the dog must be neutered within 1 month of the date specified in the veterinary certificate.

6.4.11 All breeds listed in Schedule 4 of the Act, or types of dog belonging wholly or predominantly to 1 or more breeds or types listed in Schedule 4 of the Act will be classified as menacing and will be subject to muzzling and a ban on importation.

6.4.12 The classification of a menacing dog extends throughout all of New Zealand.

6.5 DOG OWNER CLASSIFICATION

Good Owner ~~Responsible Owner~~

6.5.1 Any person who demonstrates to the satisfaction of the Council's ~~D~~og ~~C~~ontrol ~~O~~fficer that they are able to comply with all the following requirements will be designated a "Good Owner"~~Responsible Owner~~ and will be entitled to a discounted registration fee as outlined in the Council's current Schedule of Fees and Charges:

- a) The dog is provided with adequate accommodation. Kennels are sited on a hard surface and kept clean, and are able to provide the dog with shelter from the elements and be free from dampness. In the event that the dog does not have a kennel, the dog must be kept in a building.
- b) At all times the dog is under the proper control of the owner either through direct interaction with the owner (voice, sightlines, leash), or via a control apparatus (full fenced space, running wire).
- c) The ~~d~~og responds to owner's basic commands.
- d) The dog is registered and microchipped.
- e) There has been no justified complaints within a 24 month period made against the dog.
- f) The ~~o~~wner has not received a conviction under the Dog Control Act 1996, nor received ~~d~~ any infringement notice in the last year.
- g) The owner has not had a dog impounded over the last year.
- h) The owner has not been classified as a Probationary or Disqualified owner.
- i) The ~~o~~wner will be in attendance when required for any inspection and shall provide the ~~D~~og ~~C~~ontrol ~~O~~fficer with assistance as requested.
- j) The owner will promptly notify Council of any death, or transfer of any dog they own.
- k) The owner will comply with all requirements of the Act and Council's Control of Dogs~~Dog Control~~ Bylaw.
- l) The owner ~~h~~Has submitted an application to be a Good Owner ~~Responsible Owner~~(4) -four weeks prior to 31 July each registration year and a Council ~~D~~og ~~C~~ontrol ~~O~~fficer has visited the property and determined that the owner is appropriately classified as a Good Owner. ~~Responsible Owner.~~

- 6.5.2 Failure to comply with any of the above conditions may result in the dog owner losing their Good Owner ~~Responsible Owner~~ classification for a minimum of ~~two~~ 2 complete registration years effective immediately, except in the case of late registration, in which case the dog owner will lose their Good Owner ~~Responsible Owner~~ classification for a period of ~~1one~~ registration year.
- 6.5.3 As Good Owner ~~Responsible Owner~~ classification is granted to the person identified as the owner of a dog or dogs, the inability of the owner to meet Good Owner ~~Responsible Owner~~ classification as specified under 7.5.1 due to the transgression of ~~one~~ 1 dog, will effectively mean the Good Owner ~~Responsible Owner~~ classification be revoked even though other dogs under the ~~o~~Owner's ownership have not transgressed.
- 6.5.4 The loss of Good Owner ~~Responsible Owner~~ classification will result in the dog owner being liable for the payment of the difference between their Good Owner ~~Responsible Owner~~ classification fee and whichever other fee they would otherwise be liable for. This will impact all dogs under the ownership of the ~~o~~Owner.

Probationary owner

- 6.5.5 Council may under ~~s~~Section 21 of the Act classify a dog owner as a probationary owner. Council must give the person notice of its decision to classify them as a probationary owner whereupon they shall have 14 days to object in writing to Council of their classification. The probationary owner is entitled to be heard by Council in support of their objection to the classification.
- 6.5.6 The effect of such a classification shall continue for a period of 24 months, unless Council or the ~~Environmental and~~ Group Manager ~~Regulatory and Emergency Management~~ Services Manager ~~or Manager – Animal Control~~ determine that a lesser period of time is appropriate.
- 6.5.7 The classification of a probationary owner extends throughout all of New Zealand.

Duties of a Probationary Owner

- 6.5.8 A probationary owner is not permitted to be the registered owner of a dog, unless they were the registered owner of the dog on the date of the classification. Within 14 days of receiving the probationary owner classification the probationary owner must dispose of any unregistered dog that they own.
- 6.5.9 Council may require the probationary owner to attend, at the dog owners expense, a dog owner education programme or dog obedience course (or both) which has been previously approved by Council or Group Manager Regulatory Services and Emergency Management . ~~or the Environmental and Regulatory Services Team Leader.~~
- 6.5.10 Every person commits an offence and is liable upon conviction to a fine not exceeding \$3,000 who without reasonable excuse fails to attend the dog owner education programme or dog obedience course (or both).

Disqualified Owner

- 6.5.11 Where section 25 of the Act applies Council must disqualify a person from being a dog owner unless section 25(1A) applies. Owners can be disqualified from owning a dog for a period of up to five (5) years.
- 6.5.12 Council must give the person notice of its decision to disqualify them from being permitted to own a dog whereupon they shall have 14 days to object in writing to Council of this decision. The disqualified dog owner is entitled to be heard by Council in support of their objection to being disqualified.
- 6.5.13 The disqualification from being permitted to own a dog extends throughout all of New Zealand.

Duties of a Disqualified Owner

- 6.5.14 A disqualified person is not permitted to be the registered owner of any dog, and must within 14 days of receiving notice that they have been disqualified from owning any dog ~~must~~ dispose of all dogs that they own.
- 6.5.15 All of the disqualified person's dogs must be disposed of in a manner that does not constitute an offence under the Act or any other Act; and they must not be disposed of to any person who resides at the same address as the disqualified person.
- 6.5.16 Every disqualified person commits an offence and is liable upon conviction to a fine not exceeding \$3,000:
- a) If they fail to dispose of all of the dogs that they own within the specified time frame; or
 - b) do not dispose of their dogs in a manner which does not ~~not~~ constitute an offence under the Act or any other Act, or if they dispose of their dogs to any person who resides at the same address; or
 - c) if at any time while they are disqualified to own a dog become the owner of a dog.
- 6.5.17 Every person commits an offence and is liable upon conviction to a fine not exceeding \$3,000 if they dispose of or give custody or possession of a dog to any person, knowing that that person is disqualified from owning a dog pursuant to section 25 of the Act.
- 6.5.18 Where a disqualified person fails to dispose of any dog that they own within the specified 14 day timeframe then Council's ~~d~~Dog ~~C~~ontrol ~~O~~fficers may seize any dog owned by the disqualified person.

6.6 PROHIBITED AREAS

- 6.6.1 Dogs are prohibited from certain public places where their presence may create an unacceptable risk to public safety, health, protected wildlife or other animals or may conflict with the primary use of the area.
- 6.6.2 A dog (except working dogs whilst carrying out their function as a working dog) shall be prohibited at all times from the following areas:
- a) All public buildings;

- b) The playing surfaces of sports grounds and up to 20 metres of the playing surfaces where contained within the perimeter fence of the sports ground;
 - c) Public swimming pools;
 - d) All children's playgrounds in public places;
 - e) ~~Picnic areas;~~
 - f) Wilson Road stock route, Hunterville.
- 6.6.3 All areas from which ~~a-dogs~~ are prohibited from entering shall have appropriate signs posted notifying the public that dogs are prohibited within that area.
- 6.6.4 ~~A d-Dog~~ kept on a leash by their owner or person in charge of the dog ~~is~~are permitted to move through the playing surface of sports grounds, children's playgrounds, ~~picnic areas~~ and the Wilson Road stock route travelling from one side to the other if there is no viable alternative route; however, the dog owner or person in charge of the dog is not permitted to stop with the dog whilst within any of these areas.
- 6.6.5 Council, may upon written request, allow a dog to enter public buildings for the purpose of a dog show or such other events as Council may at its discretion authorise. In considering such written requests, Council will consider the suitability of the building concerned for holding such an event, the duration of the event, and measures necessary to ensure public health and safety. The determination of this request will be made at the appropriate delegation level within Council.

Conservation areas

- 6.6.6 No dog (except working dogs carrying out their function as a working dog) are permitted in scenic reserves, conservation or forest parks and named conservation areas unless the dog owner has obtained a permit from the Department of Conservation.

6.7 LEASH CONTROL AREAS

- 6.7.1 The owner of a dog shall not allow the dog on any public place (not being a prohibited area or dog exercise ~~and recreation~~ area) unless the dog is controlled on a leash or is under the continuous control to the satisfaction of Council's dog control officer.

6.8 DOG EXERCISE AND RECREATION AREAS

- 6.8.1 Dog exercise areas are designated locations within the district where Council permits dogs to run at large off the leash. ~~However t~~The dog owner must have the dog ~~under their~~ control at all times and ~~must carry a~~ leash to be used if necessary. The areas listed below have been designated by Council as dog exercise areas:

Marton	The periphery of Wilson Park (excluding the children's playground) (Appendix 1)
Taihape	The north-eastern section of Taihape Domain (Appendix 2) 16-18 Robin Street, Taihape (Appendix 2 3)
Bulls	The northern section of Bulls Domain (Appendix 3 4)

<u>Turakina</u>	<u>Turakina Reserve (Appendix 4)</u>
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- 6.8.2 Other areas may be designated dog exercise areas by resolution of Council and these may include certain beach areas.
- 6.8.3 Subject to the practicality of undertaking the necessary work, some dog exercise areas may be fenced to provide a secure area for both dog owners and non-dog owners alike.
- 6.8.4 All dog exercise areas shall have appropriate signs posted prominently notifying the public that dogs are permitted to exercise off leash within that area.

6.9 EDUCATION PROGRAMMES

- 6.9.1 ~~While Council itself does not provide any owner education programmes or dog obedience courses it will continue to visit schools to familiarise children on issues of dog safety and caring for their dog. Council will promote responsible dog ownership and safe interaction with dogs through education, information and community engagement, including through the council's Dog Owner Handbook.~~

- 6.9.2 ~~Council does not currently provide formal dog-owner education programmes or dog-obedience courses. However, Council may provide dog-safety education through school visits, community activities and educational resources.~~

~~Areas where a dog is prohibited or conversely where they may exercise will be publicised through this Policy and appropriate signage will be displayed on the street or at the park concerned or sports ground where practicable.~~

~~Additionally, an extensive website containing information for dog owners, adults and children on dog safety is maintained by the Department of Internal Affairs <http://www.dogsafety.govt.nz/>.~~

- 6.9.3 Owners whose dogs come to the attention of Council dog control officers through nuisance behaviour or, those owners who are classified as probationary, may be directed to approved courses or classes at their own expense.

6.10 ~~CONTROL OF DOGS~~DOG CONTROL BYLAW

- 6.10.1 The main tool that Council will use to meet its statutory obligations and implement this ~~Ppolicy~~ in order to achieve its ~~policy~~ objectives is ~~its Control of Dogs~~the Council's Dog Control Bylaw 20XX ~~16~~. ~~Theis~~ Bylaw ~~will~~ includes: ~~inter alia:-~~

- Prescribing minimum standards for the housing of dogs;
- Regulating and controlling dogs in public places;
- Designating specific areas as dog exercise areas or prohibited areas;
- Requiring dogs, other than working dogs, to be controlled on a leash in specified public places, ~~or in public places in specified areas of parts of the district;~~

- e) Requiring owners of dogs that defecate in public places (except as exempted by the Bylaw) to immediately remove faeces;
- f) Requiring bitches in season and diseased dogs to be responsibility confined;
- g) Providing for the impounding of dogs, whether or not they are wearing a collar having the proper label or disc attached, that are found at large in breach of any bylaw made by Council under the Act;
- h) Outlining when fees, infringements or penalties will be payable.-

6.10.2 As required by Section 10(6)(a) of the Act, Council has reviewed its ~~will review its~~ Control of Dogs ~~Dog Control~~ Bylaw and adopted to give effect to the Policy. ~~within 60 days of adopting this Policy.~~

6.11 ENFORCEMENT

6.11.1 Council provides a 24 hour Animal Control Service and encourages people to report roaming dogs, nuisance dog behaviour and dangerous or menacing dogs.

6.11.2 Council seeks to promote a high standard of dog care and control within the district and acknowledges that the majority of dog owners within the -Rangitikei- ~~D~~district are responsible dog owners. Council recognises that sometimes even a responsible dog owner may breach the Ppolicy, Bylaw or Act. On such occasions Council's Group Manager Environmental and Regulatory and Emergency Management Services Team Leader may use discretion and issue a written warning provided that the incident did not involve injury or distress to a person or animal, or cause a health issue e.g. the non-removal of dog faeces.

6.11.3 Dog owners who are in contravention of the Act (including any subsequent amendments) or a Council Bylaw will be liable to enforcement action. Such enforcement action may generally take the form of one or more of seven (7) mechanisms:

1. A verbal or written warning;
2. The issuance of an infringement notice (an instant fine) for an Infringement Offence pursuant to Section 65-66 of the Act as specified in Schedule 1 of the Act; or
3. Filing Court papers for those statutory infringement offences under the Act which are enforced under Section 21 of the Summary Offences Act 1957;
4. Seizing and impounding dogs;
5. Classifying dogs as menacing or dangerous;
6. Classifying dog owners as probationary or disqualifying people from being allowed to own a dog; and
7. Prosecuting dog owners.

6.11.4 Infringement notices shall be issued by Council's ~~D~~dog ~~C~~ontrol ~~O~~fficers and ~~D~~dog ~~R~~angers for infringement offences as specified in Schedule 1 of the Act. With respect to any of those offences, Council gives delegated authority to the Manager - Animal Control ~~Senior Animal Control Officer~~ who may in his/her absolute discretion decide to issue either a verbal or written warning or an Infringement Notice for any subsequent offending of that offence.

6.11.5 There will be instances whereby legal action is initiated for serious offences under the Act or Control of Dogs ~~Dog Control~~ Bylaw. A serious offence in this instance would include but not be limited to, situations where a dog:

- a) Creates a nuisance to any person;

- b) Causes distress to any person;
- c) Causes damage or injury to any person;
- d) Causes serious injury to any person;
- e) Causes damage to property; or
- f) Causes damage or injury to any animal.:-

6.11.6 Where legal action has been initiated Council gives delegated authority to the Chief Executive Group Manager Regulatory Services and Emergency Management Environmental and Regulatory Services Team Leader in his/her absolute discretion to determine if it is appropriate to proceed with legal action.

6.11.7 In addition to statutory offences contained within the Act, Council may impose further penalties for offences specific to Rangitikei District through its Control of Dogs Dog Control Bylaw.

6.12 DOG POUND

6.12.1 ~~Due to the costs associated with building, maintaining, securing and staffing an impounding facility for dogs, bitches or puppies~~ Council does not have a permanent pound facility in the Rangitikei District, rather Council uses the Whanganui District Council and Manawatū Manawatu District Council's pound facilities (and from time to time other council pound facilities if the Manawatū pound is at capacity) through a contractual agreement. This supports Council keeping costs low for dog control as Council does not need to provide impounding facilities or staffing for the service.

6.12.2 Whenever a dog is impounded Council officers shall make all reasonable efforts to contact the owner to advise them that their dog has been impounded and shall provide written notice to the owner advising that they have seven (7) calendar days to pay in full all fees payable or their dog may be sold, euthanised or otherwise disposed of. Where Council officers are able to identify and contact the owner of a dog which has been impounded, regardless of the outcome, Council will seek to recover from the owner all fees and costs incurred as a consequence of the impounding with respect to the dog.

6.12.3 Before any dog can be released from the pound the following conditions must be satisfied:

- a) When a dog is claimed by its owner it must be registered, micro chipped (if it is not already), and all other fees and charges must be paid in full.
- b) Council ~~D~~og ~~C~~ontrol ~~O~~fficers must be satisfied that the prospective new owner of a dog being rehomed is a fit and proper person and that the property condition where they reside is suitable for a dog.
- c) Any unregistered dog before being rehomed and prior to it being released from the pound to its new owner must be both registered and micro chipped at the new owner's expense and all fees and charges must be paid in full.
- d) The release of any impounded dog from the pound shall be by a pre-arranged appointment.

6.12.4 Council as part of the shared services with Manawatū District Council has a Dog Adoption Programme. Council will not rehome any dog which in the opinion of Council ~~D~~og ~~C~~ontrol ~~O~~fficers is menacing, dangerous or has undesirable traits.

6.12.5 It is an offence under ~~s~~Section 72 of the Act to attempt to unlawfully release a dog from a council controlled pound or to be in possession of a dog that has been unlawfully released from such a pound.

6.13 NUISANCE

6.13.1 A person must not keep a dog on any land or premises if:

- a) The dog is causing a nuisance; or
- b) The dog poses a significant health or safety risk to people.

6.13.2 Any person is in breach of this ~~P~~olicy if they cause a dog on any land, premises or public place to become unmanageable; or if they incite a dog to fight with or attack any domestic animal, poultry, protected wildlife, stock or person.

Abatement of Nuisance

6.13.3 Where a dog or dogs on any property has become or is likely to become a nuisance or injurious to health, a notice will be issued to the owner at the discretion of a ~~D~~og ~~C~~ontrol ~~O~~fficer or ~~D~~og ~~R~~anger.

6.13.4 The notice will request the owner within a specific timeframe to complete reasonable action to minimise or remove said nuisance or injury to health and can include the following:

- a) reducing the number of dogs living on the property
- b) repairing kennel so that it meets Council's minimum standard of accommodation
- c) constructing a new kennel so that it meets Council's minimum standard of accommodation

Barking Dogs

6.13.5 Barking, or vocalisation, is a natural behaviour of every dog. It is not unlawful for a dog Owner to allow his or her dog to bark. A dog barks for a variety of reasons such as:

- a) If there is an intruder in its territory
- b) When it is distressed, and
- c) As a reaction to environmental sounds.

6.13.6 A dog is permitted to display natural patterns of behaviour, including barking as a vocal expression and its Owner is obliged to ensure that such needs are met.

6.13.7 Where the ~~D~~og ~~C~~ontrol ~~O~~fficer or ~~D~~og ~~R~~anger has received a complaint and has reasonable grounds for believing that a nuisance is being created pursuant to Section 55 of the Act by the persistent and loud barking or howling of a dog, ~~the dog control officer or dog ranger, under the provisions of section 55. may- they may:~~

- a. "Enter the property at any reasonable time (excluding the dwelling house), on which the dog is kept, to inspect the conditions under which the dog is being kept; and
- b. Regardless of whether or not the ~~D~~og ~~C~~ontrol ~~O~~fficer or ~~D~~og ~~R~~anger makes such an entry upon the property, may give the owner of the dog an abatement notice requiring them to make such provision on the property to abate the nuisance as specified in the notice or, if considered necessary, to remove the dog from the land or premises."

6.13.8 Non-compliance with an abatement notice may result in Council taking enforcement action.

Roaming Dogs

6.13.9 Roaming dogs can cause annoyance and danger to the community, domestic animals, poultry, protected wildlife and stock.

6.13.10 In the first instance, when the owner of a roaming dog can be identified by ~~D~~dog ~~C~~ontrol ~~O~~fficers or ~~D~~dog ~~R~~angers, ~~the dog control officers or dog rangers y~~ will have discretion to return the dog to the owner with a warning or alternatively to issue the owner with an Infringement Notice.

6.13.11 Excepting paragraph ~~6.13.10 7.13.7~~ above, roaming dogs may be impounded by ~~D~~dog ~~C~~ontrol ~~O~~fficers or ~~D~~dog ~~R~~angers and the dog owner will be required to pay all impound fees and other associated charges, ~~daily sustenance~~ before the dog will be allowed to be released from the pound to its owner. -

6.14 POLICY REVIEW -

~~6.14.1~~ Pursuant to Section 10 of the Act, this ~~P~~policy shall be reviewed or amended, using the special consultative procedure prescribed by Section 83 of the Local Government Act 2002, within ten (10) years from the date that the ~~P~~policy is adopted, or earlier if directed by Council or in response to changed legislative or statutory requirements. |

6.15 REPEAL -

~~6.13.12~~~~6.15.1~~ Upon the commencement date of this ~~P~~policy all previous ~~Rangitikei~~ District Council Dog Control and Owner Responsibilities ~~P~~policies are hereby repealed.

~~6.14~~6.16 COMMENCEMENT DATE

~~6.14.16.16.1~~ This ~~P~~policy was duly adopted by Council by a resolution passed on the ~~xx~~26~~th~~ day of ~~xxxx~~May 2016, following the use of the special consultative procedure as set out in Section 83 of the Local Government Act 2002.

~~6.14.26.16.2~~ The Rangitikei District Council Dog Control and Owner Responsibility Policy will commence on the ~~day is was adopted by Council~~ 26~~th~~ day of May 2016.

~~6.15~~6.17 RELEVANT LEGISLATION

- Dog Control Act 1996.
- Dog Control Amendment Act 2003.
- Dog Control Amendment Act 2004.
- Dog Control Amendment Act 2006.
- Dog Control Amendment Act 2010.
- Dog Control (Perro de Presa Canario) Order 2010.
- Dog Control Amendment Act 2012.
- Impounding Act 1955.
- Animal Welfare Act 1999.

Appendix 3

Findings Report - Review of Council's Control of Dogs Bylaw and Dog Control and Owner Responsibility Policy

- 1.1 Territorial Authorities (TAs) are required to adopt a policy in respect of dogs under section 10 of Dog Control Act 1996 (the Act). The intention (as stated by the then Minister of Local Government) was to “*stimulate wider community debate*”.¹ In adopting such policy, TAs were to have regard for:
- a) *the need to minimise danger, distress, and nuisance to the community generally,*
 - b) *the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults,*
 - c) *the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs, and*
 - d) *the exercise and recreational needs of dogs and their owners.*
- 1.2 TAs are required to give effect to such a policy by making a bylaw under section 20 of the Act. The scope is much wider than what had been permitted since 1955, which was limited to ‘*requiring dogs to be tied up or otherwise confined during a specified period*’.² The Act also prescribes a range of matters which dog owners must comply with, resulting in some overlap between what is enforced under the bylaw and what is specified under the Act.
- 1.3 Section 34 of the Act requires every TA to maintain a register of dogs registered with it, and section 36 requires everyone who owns a dog to register it. Such a requirement dates from 1849³. Section 35A of the Act established the National Dog Control Information Database to which the Council must provide specified information and pay an annual levy towards the cost of maintaining the Database.
- 1.4 Section 20(4) of the Act specifies that bylaws made under that section are deemed to have been made in accordance with the Local Government Act 2002 (LGA). Section 159 of the LGA requires a review of such a bylaw no later than ten years after it was last reviewed. Section 160A provides that if the bylaw is not reviewed within the specified time period it will be revoked two years after that date.
- 1.5 The Council’s Control of Dogs Bylaw (the Bylaw) is due for review by 26 May 2026. The Control of Dogs Bylaw must be consistent with the Council’s Dog Control and Owner Responsibility Policy in accordance with section 10(7) of the Act.

Process for review:

¹ Parliamentary Debates (Hansard), Volume 554, p.111.

² Dog Registration Act 1955, section 30.

³ An Ordinance to abate the Dog Nuisance , 1849 [Province of New Munster] The annual registration fee was 10 shillings; ‘all unregistered dogs may be destroyed by any person belonging to the Constabulary Force’.

- 1.6 Section 10AA(2) of the Act requires the Council to make the determinations required by section 155 of the LGA *'in the context of the matters in section 10(4) of 'the Dog Control Act'.*⁴ Those matters are:
- (a) the need to minimise danger, distress and nuisance to the community generally,*
 - (b) the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults,*
 - (c) the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs, and*
 - (d) the exercise and recreational needs of dogs and their owners.*
- 1.7 The determinations required by section 155 of the LGA, before making a bylaw, are:
- i. whether a bylaw is the most appropriate way of addressing the perceived problem, and (if that is the Council's determination)*
 - ii. whether the proposed bylaw is the most appropriate form of bylaw and gives rise to any implications under the New Zealand Bill of Rights Act 1990.*
- 1.8 Expert external advice is that the nature of the review is a reconsideration of the matters required by section 155. If the Council does agree that a bylaw is the most appropriate way to solve the problem, it makes that determination, and this concludes the review process as far as the LGA is concerned.
- 1.9 Since the Council has a statutory requirement to make a bylaw to give effect to the policy (section 10(6)(a)), no other consideration is needed in making determination (i).
- 1.10 For determination (ii), alignment with the purposes specified in section 20(1) will provide assurance that the bylaw is the 'most appropriate form of bylaw'. As action taken by Council following the issue of an infringement notice proceeds under legislation administer by the Justice Department, the bylaw does not give rise to any implications under the Bill of Rights Act 1990.⁵ A recommendation is included to provide for these determinations.
- 1.11 Section 156 of the LGA requires Council to consider whether the proposed amendment to the bylaw *'concerns a matter identified in the local authority's policy under section 76AA as being of significant interest to the public'* or whether *'there is, or is likely to be, a significant impact on the public'* due to the proposed bylaw or changes to it. If so, then the special consultative procedure (as specified in section 86) must be used. The Council's Significance and Engagement Policy repeats that phrase, so it is suggested that the special consultative procedure is used. It is also acknowledged that recent media

⁴ There is an inconsistency with section 160 of the Local Government Act 2002. While section 160(1) requires a local authority reviewing a bylaw (under section 158 or 159) to make the determinations required by section 155, section 160(5) provides that 'this section does not apply to any bylaw to which section 10AA of the Dog Control Act 1996 applies'. Section 160 was an amendment made in 2006.

⁵ Schedule 1 of the Dog Control Act lists the infringement offences and the prescribed fees; section 65 specifies that a person alleged to have committed such an offence may be proceeded against under section 14 of the Criminal Procedure Act 2011 or served with an infringement notice under section 66, which is done under section 21 of the Summary Proceedings Act 1957.

focus on dog attacks in other parts of the country may mean that members of the public may have a heightened interest in the control of dogs at present.

- 1.12 Section 10AA(3) of the Act requires the Council to amend the Policy, if appropriate, in terms of any amendments made to the Bylaw. Section 10(8) of that Act allows the Council, at any time, to adopt, in accordance with the special consultative procedure, an amended policy. The discretion available for the review of the Bylaw does not apply to reviewing the Policy.
- 1.13 There is no statutory requirement specifying when the Policy adopted under the Dog Control Act 1996 must be reviewed. However, the Policy as adopted by Council in 2016 specified a review ten years after adoption (i.e. by 26 May 2026). Given the statutory requirement to use the special consultative procedure, it is suggested that the Committee recommend a six month extension to this date to enable consultation to be undertaken, submissions considered, and a decision made on any amendments to the Policy. Proposed changes to the Bylaw would be included in the same consultation and deliberations process.

2. Discussion and Options Considered

Performance:

- 2.1 Section 10A of the Act requires the Council to report on the administration of its dog control policy adopted under section 10 and its dog control practices. While the total number of registered dogs has been fairly stable since 2019/20, the number of good dog owners has declined by about 11%, and service requests/complaints have increased by around 9%. The number of attacks in 2024/25 is just slightly higher than 2019/20 and lower than each one of the intervening years.⁶

	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
Service requests/complaints	750	966	976	894	949	819
Attacks (human and animal - includes rushing)	57	65	86	95	77	60
Barking	129	167	202	171	153	122
Wandering/Stray (includes stock)	130	288	260	112	261	280*
Animal welfare/Property investigations	41	41	37	43	34	23
Found	112	101	94	116	102	97
Lost	98	107	98	102	96	73
Other (e.g. microchipping, good dog owner status)	183	197	199	153	170	164
Number of dog owners	2313	2537	2353	2328	2384	2356

⁶ These reported numbers do not reveal the number of unregistered dogs involved

	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
Total registered dogs	5091	5088	5058	5065	5080	4969
Working dogs	2382	2551	2519	2526	2514	2440
Good Dog Owners	2132	2050	2012	1968	1951	1900
Non-working dogs	377	487	527	571	615	629
Total Probationary Owners	nil	nil	nil	nil	nil	nil
Total Disqualified Owners	nil	nil	nil	nil	nil	nil
Total Dangerous Dogs	4	3	3	5	2	3
Total Menacing Dogs	63	53	44	40	40	36
Total infringement notices	45	39	83	32	46	50

*Wandering/stray dogs in 2024/25 were 155

- 2.2 The 2024/25 report is cautious about the reasons for the decline in total complaints, suggesting that proactive enforcement of registration compliance and targeted follow-ups on previously identified non-compliant properties may have improved overall owner accountability. However, the report notes that some members of the public increasingly use social media platforms to resolve lost or wandering dogs directly rather than contacting Council - *"This may reduce the number of formally recorded service requests without necessarily reflecting a proportional decrease in underlying incidents."* It is noted that this trend is unlikely to affect the number of reported attacks by dogs.
- 2.3 The 2023/24 and 2024/25 reports note that a graduated enforcement approach is employed for all unregistered dogs, progressing from property inspections to verbal or written warnings, infringement notices and impounding (section 42 of the Act) as a final measure.

Pre-engagement Survey

- 2.4 Officers ran a pre-engagement survey from 22 December 2025 through to 20 January 2026. A total of 23 submissions were received.
- 2.5 The following table summarises the submissions and notes potential considerations for the Policy and Planning Committee:

	submitters	Potential considerations for the Committee
1. What is working well		These views demonstrate that some elements of the current approach are meeting community expectations. The Committee may wish to consider how these strengths can be maintained while addressing areas of concern raised by other submitters.

Dog management generally working well - no significant issues	4	
Positive and prompt response from Council staff	3	
Availability of dog friendly spaces (e.g. Wilson Park and Bulls Domain/river area)	3	
Good dog owner framework is affordable and works well	2	
Positive view of Animal Control Team and clear communication with dog owners	2	
2. Roaming, aggressive and uncontrolled dogs		The Committee will need to consider whether existing enforcement mechanisms, containment requirements, and leash controls are sufficient, or whether amendments to the Bylaw or operational practices are required to address these concerns.
Concern about roaming dogs within residential streets, rushing gates, intimidating pedestrians and being loose in public spaces	6	
Concern about aggressive behaviours, including biting incidents, attacks on livestock, and fears for the safety of children and vulnerable residents	4	
Repeated incidents of dogs being off-leash in areas designated as on-leash only, particularly at the Tutaenui Reservoir	4	
Barking and noise issues, including concerns about multiple dogs being kept on urban properties	3	
Concern about availability of Animal Control Team in Taihape	1	
3. Dog waste		The Committee may wish to consider whether infrastructure changes (e.g. bins or dispensers), increased education, or enhanced enforcement would improve compliance, and whether these measures are proportionate to the level of concern expressed.
Concern that dog waste is being left in parks, reserves and on footpaths	6	
Request installation of dog bag dispensers in public areas to improve compliance	4	
Request for additional rubbish bins (noting that removal of bins may contribute to increased dog waste being left behind)	2	

Stronger enforcement measures for owners who fail to carry bags or remove dog waste	2	
4. Dog exercise areas and infrastructure		
Current exercise areas are suitable	17	
Request for fully fenced dog parks to promote safer off-leash opportunities	4	
Request for a fenced off-leash space in Marton, noting limited current provision	2	
Request for establishing a dedicated dog area in Hunterville	2	
Suggest formalising or recognising the Bulls River address area as a dog-friendly space	2	
Request improved signage in parks and reserves to clarify dog control requirements	2	
Suggests additional seating within dog areas	1	
5. Registration and responsible dog ownership		
Request lower registration fees for responsible dog owners or a tiered registration system	6	
Introduce or strengthen longer-term compliance rewards (e.g. 'exceptional dog owner' discounts)	3	
Current registration system is easy and affordable	2	
Concern that registration costs are increasing and may discourage compliance	2	
Suggests earlier distribution of registration notices	1	
Suggests a rebate where proof of vaccination is provided	1	
Suggests working dogs should not require registration until they reach one year of age	1	
6. Enforcement and education		
Call for stronger enforcement of existing rules, particularly in relation to roaming dogs and containment	4	
Suggests random Animal Control team visits to leash-only areas to improve compliance	1	
Suggests stronger consequences for repeat offending dogs or owners following harm incidents	2	
Request improved access to dog training or dog club facilities within the district	2	

Requests for fenced dog parks reflect a desire for safer off-leash environments and clearer separation between dog exercise areas and other recreational users. The Committee will need to consider land availability, cost implications, and alignment with the intent of the Dog Control Bylaw and Policy.

The Committee will need to consider whether adjustments to the fee structure would support compliance objectives, while ensuring cost recovery requirements are met.

The Committee may wish to consider the balance between enforcement and education approaches, and whether operational resourcing aligns with community expectations.

Suggests additional education for children on dog safety	1	
7. Other matters raised		
Request that injured dogs collected by Council are assessed by a veterinarian prior to euthanasia decision	1	While some of these matters fall outside the direct scope of the Dog Control Bylaw, they reflect broader community concerns regarding animal management and public safety. The Committee may wish to note these matters for consideration in related policies or operational planning.
Requests improved online access to dog control rules for visitors travelling with dogs	1	
Concern about footpath safety in Hunterville, noting limited safe walking options	1	
Concerns about feral cats and requests greater control measures	2	

Alignment with Statutory Requirements:

- 2.6 As noted above, the Dog Control Act 1996 specifies the content of the Council's Policy and the purpose for the Council's Bylaw. *Attachment 1* provides a table which sets out the alignment for the Policy and the Bylaw. Comments below are based on that analysis.
- 2.7 The Policy generally complies with the statutory requirements, clearly identifying which public places are prohibited to dogs (other than working dogs carrying out their functions), which public places are off-leash dog exercise areas, and requiring dogs to be controlled by a leash in all other public places.⁷ However, the Policy provides discretion to a Senior Dog Control Officer (now the Manager - Animal Control) to require a classified menacing dog to be neutered rather than specifying '*the matters taken into account*' in requiring such a dog to be neutered.⁸
- 2.8 The Bylaw also generally complies with the purposes set out in clause 20, repeating the requirements over public places specified in the Policy, but adding a fifth dog exercise area, the Turakina Reserve⁹ and allows a 48-hour exemption for dog shows. It specifies the minimum standards of accommodation,¹⁰ limits the number of dogs at any property, requires dog owners to immediately remove faeces left in a public place, extends the requirement to confine bitches in season to dogs suffering from an infectious disease, and provides for impounding of dogs and the procedures for release or disposal.¹¹ However, while requiring a dog owner to provide the means of confining the dog within the owner's property,¹² the Bylaw does not require such confinement during a specified period which section 20(1)(g) allows.
- 2.9 The Bylaw does not reflect the Policy's position over neutering menacing dogs. Nor does it provide for requiring neutering of a dog which has not been kept under control on a number of occasions. However, the Bylaw does allow Council to issue a notice to a dog

⁷ The policy does not identify any public places where leashes are not required (apart from designated dog exercise areas) but that is redundant since the policy requires that a dog must be on a leash in any public place which is not prohibited.

⁸ Section 33E and 33EB of the Dog Control Act allow the Council to require neutering of any dog classified as menacing..

⁹ Added by Council resolution, 28 June 2018: 18/RDC/248, in response to a request from the Turakina Reserves Management Committee.

¹⁰ This aligns with section 54(1) of the Dog Control Act

¹¹ This aligns with section 69 of the Dog Control Act.

¹² Required by section 52A(2)(b) of the Dog Control Act.

owner where a dog (or dogs) on the property have become (or a likely to become) a nuisance or injurious to health. Potential requirements could extend to reducing the number of dogs or repairing the kennel or constructing a new one. Neutering is not mentioned in this context.

- 2.10 The Bylaw prohibits any person (not just a dog owner) from aggravating a dog leading to behaviours in breach of section 5 of the Act, i.e. nuisance, barking, causing injury to an animal or person. However, that section of the Act is limited to dog owners.

Comparison with policies and bylaws of surrounding TAs:

- 2.11 The Bylaw is the enforcement mechanism for the Policy (but as noted above the Act is also an enforcement mechanism¹³). Since the legislators intended that the community engage with the Policy, there will be differences between councils, both in the Policy and the Bylaw. Examining policies and bylaws of other councils has the potential to provide useful perspectives. *Attachment 2* analyses the current policies and bylaws adopted by Manawatū, Tararua and Whanganui District Councils. *Attachment 3* provides a comparable analysis of the bylaws of those three councils.
- 2.12 Manawatū District Council (MDC) emphasises that dogs should be ‘under control’ by their owners at all times, including dog exercise areas. This is defined as ‘*either controlled by a leash that is being held by someone that is capable of restraining the dog, under direct control such as being held, or controlled by voice command where the dog must be within sight and obeys commands without hesitation*’.
- 2.13 Whanganui District Council (WDC) distinguishes dog exercise areas from other off-leash areas on the basis that dog owners are the priority users. However, this does not mean an exception from the requirement for dogs to be under continuous control.
- 2.14 MDC explains in its Policy the reasons for identifying public places which are prohibited to dogs. There are more opportunities in Manawatū (and in Whanganui) for dogs to be permitted under leash. This could be one of issues raised in consultation i.e. identifying some areas now prohibited where dogs on leash would be permitted.
- 2.15 MDC and WDC exempt dogs herding or driving stock on a road from the faeces removal requirement. While a valid clarification, it seems unnecessary since such dogs will be in an environment where there are faeces from stock.
- 2.16 Tararua District Council (TDC) defines what ‘adequate accommodation’ for a dog is, comparable to what Rangitikei requires. MDC and WDC do not do this (although MDC specifies that a dog must be kept at least 1.8 metres from a boundary fence (unless an exemption is given by the Council). Such a requirement could reduce the likelihood of nuisance to neighbours or (if a street boundary) passers-by.
- 2.17 TDC reflects the confining requirement specified Section 52A of the Act, but Council, MDC and WDC do not specify this requirement. This is a significant requirement and including it in the Bylaw ensures greater profile, however, including wording from legislation verbatim can create unnecessary repetition and can also lead to issues if the wording in the legislation is amended or replaced.

¹³ With one exception, the infringement offences specified in Schedule 1 of the Act relate to provisions in the Act. The exception is breaches of the bylaw.

- 2.18 TDC's Policy requires microchipping of all dogs classified as dangerous or menacing and all dogs first registered after 1 July 2006. This repeats section 36A(1) of the Act. MDC and WDC do not mention this in their respective policies.
- 2.19 The policies of MDC and WDC are specific in allowing impounding of a dog found wandering after a first such incident. TDC's Policy does not specify such a transition, thus implying impounding could occur at the first instance.
- 2.20 All three councils describe their procedures in addressing barking dogs. MDC details how Council defines 'persistent' and 'loud' barking and 'howling' – terms used in section 55 of the Act, but not explained further there.
- 2.21 TDC does not allow more than two dogs at an urban property unless a 'Three Plus Permit' has been issued. The equivalent limit imposed by MDC is two (not specified in the Policy but included in the Bylaw), and in Whanganui the limit is three. These councils have formal procedures for allowing a greater number.
- 2.22 TDC and WDC provide a process for recognising responsible dog owners with a particular status ('Preferred Dog Owner' in Tararua, 'Responsible Dog Owner' in Whanganui) and discounted fees. MDC's Policy provides for a reduced registration fee for selected owners, but does not elaborate on how that status is achieved.

Improving the effectiveness of the policy and the bylaw

- 2.23 The comments made by those who participated in the pre-engagement survey point to the Animal Control Team being responsive and good communicators.
- 2.24 A key question for the Committee is what amendments to the Policy and Bylaw could reinforce what the Team is doing and make the Bylaw more effective. Some improvements/amendments for the Committee to consider are listed below:
- a) Improve the scope by:
 - adding 'Under Control' (as provided by MDC) to make explicit owners' responsibility, even in dog exercise areas;
 - explaining why certain public places are prohibited to dogs;
 - setting requirements for boarding and breeding kennels;
 - allowing access to premises and public places for disability assist dogs accompanying a person with a disability; and
 - Under 'standards of accommodation' include reference to the requirements under the Animal Welfare (Care and Procedures) Regulations 2018. While enforcement of these regulations sits outside Council, such a reference makes explicit Council's expectations of responsible ownership.
 - b) Provide additional public places where dogs under leash are permitted (i.e. amending the areas of prohibited public places). While Council is able to determine additional off-leash dog exercise areas by resolution, the proposed consultation on the amended Bylaw and Policy would provide information to inform that decision.
 - c) Require all dog owners to carry (and use) a waste bag when taking their dog into any public place where control under a leash is required, to 'immediately

remove the faeces and dispose of them in a sanitary manner'. Clause 7.2.6 of the Policy has this requirement, but it needs to be provided for in the Bylaw so that non-compliance becomes an infringement offence under section 20(5) of the Dog Control Act. This change will help address the concern raised in the pre-engagement survey.

- d) Allow discretion to the Animal Control Team to require neutering to when the dog has a series of behavioural issues.

- 2.25 Although there is concern expressed in the pre-engagement survey about roaming dogs and dogs not on leash where they should be, it is not proposed to specify mandatory impounding for any dog at large in breach of the Bylaw, which is the case in Manawātū and Whanganui (noted above, para. 3.19). Such a Policy potentially undermines Rangitikei's compliance-focussed framework which prioritises education and voluntary compliance before enforcement action. The experience of the Animal Control Team is that only a small proportion of roaming dogs encountered are repeat offenders. Clause 7.13.7 of the Policy, which provides discretion to the Animal Control Team to return a roaming dog with a warning or infringement notice, would be retained.
- 2.26 These changes must be reflected in an amended Bylaw as well as the Policy.
- 2.27 There are currently several provisions in the Bylaw which are not identified in the Policy. Examples are standards for accommodation, limits on the number of dogs kept at any property, confinement of a dog suffering from an infectious disease, dispensations for approved dog shows.
- 2.28 The lack of off-leash dog exercise areas in urban areas like Rātana, Hunterville and Mangaweka warrants consideration, but this does not necessarily need to be addressed in the proposed consultation of an amended Policy, as Council is able to determine additional dog exercise areas by resolution.

Section 10(3) Dog Control Act 1996	Manawatu District Council, 2019	Tararua District Council, 2022	Whanganui District Council, 2023
<i>Every policy adopted under this section:</i>			
.	Clause 1.1: 'The Council is also obliged to adopt a bylaw.... to give effect to this policy' Clause 5.2: 'The Bylaw provides for the enforcement of matters outlined in this policy.'	[Not specified]	Clause 1.4: 'Following the adoption of the Policy, Council is required to adopt a Bylaw to give effect to it.'
(b) shall identify any public places in which dogs are to be prohibited, either generally or at specific times, pursuant to a bylaw made under section 20	Clause 7 specifies the three control areas - prohibited public places, dog exercise areas, dog on leash areas. Clause 9 describes the reasons for identifying prohibited public places for dogs. Schedule 1 list the prohibited places.	Schedule 1 describes prohibited areas, exemptions to dog prohibited areas, leash controlled areas, unleashed areas (but under continuous control).	Clause 16 describes the five types: prohibited areas, on-leash areas, off-leash areas, designated dog exercise areas, time and season areas (where dog access rules will vary depending on time of day during summer). Schedule 1 identifies prohibited areas, exemptions to dog prohibited areas, leash controlled areas, and unleashed areas (but 'under continuous control'). Schedule 2 set out dog access rules for specific places
(c) shall identify (i) any particular public places and(ii) any areas or parts of the district in which dogs (other than working dogs) in public places are to be required by a bylaw made under section 20(1)(a) to be controlled by a leash	Clause 11 and Schedule 3.	ditto	ditto
(d) shall identify those areas or parts of the district in respect of which no public places or areas are to be identified under paragraph (b) or paragraph (c)	[Not relevant]	[Not relevant]	[Not relevant]

(e) shall identify any places within areas or parts of the district specified in paragraph (c)(ii) of this subsection that are to be designated by a bylaw under section 20(1)(d) as dog exercise areas in which dogs may be exercised at large	Schedule 2. Clause 10.4 is explicit in requiring dogs without a leash must be under control.	as in (b) above	as in (b) above
(ea) must state whether dogs classified by the territorial authority as menacing dogs under section 33A or 33C are required to be neutered under section 33E(1)(b) and, (i) if so, whether the requirement applies to all such dogs, and (ii) if not, the matters taken into account by it in requiring any particular dog to be neutered.	Clause 15.2	Clause 5.1 specifies that dogs classified as menacing must be neutered and microchipped. Clause 5.2 extends that dogs classified as dangerous	Clause 15 describes requirements for neutering - all dogs classified as dangerous and dogs classified as menacing
(eb) must state whether dogs classified by any other territorial authority as menacing dogs under section 33A or 33C are required to be neutered under section 33E(1)(b) and, (i) if so, whether the requirement applies to all such dogs, and (ii) if not, the matters taken into account by it in requiring any particular dog to be neutered.	Clause 15.2	[Not specified]	Clause 15.2

(f) shall include such other details as the territorial authority thinks fit including but not limited to, details of the policy in relation to (i) fees or proposed fees, (ii) owner education programmes, (iii) dog obedience course, (iv) the classification of owners, (v) the disqualification of owners, and (vi) the issuing of infringement notices	Clause 6 describes the process for setting fees (No fee to register a Disability Assist Dog). Clause 6.4 notes that a reduced registration fee applies to selected owners. Clause 12 notes access for dogs may be controlled by other legislation (e.g. for parts of land administered by the Department of Conservation). Clause 13 describes how Council will intervene when barking becomes a nuisance (potentially taking enforcement action under ss55-56 of the Act). Clause 14 describes Council's approach to wandering dogs, including impounding after a first offence. Clause 16 describes a Council's approach to rehoming dogs, using its relationships with known registered shelters. Clause 17 describes Hearing procedure, Clause 18 outlines the procedures for issuing and	Clause 5.3 sets out the procedure for declaring a dog to be a working dog. Such dogs issued with a microchip exemption. Clause 6.1 specifies actions (including impounding) where a dog is a nuisance (includes through barking. Clause 6.2 allows impounding of a dog roaming or no owner direct control Clause 7.2 specifies mandatory registration and microchipping of a dog registered for the first time after 1.7.2006. Clause 7.3 describes the Three Plus Permit which allows more than two dogs at a premises. Clause 8 defines obligations of boarding or breeding kennel owners. Clause 9 describes recognition given to responsible dog owners ('Preferred Dog Owner') Clause 10 requires immediate removal of dog waste.	Clause 6 describes fees. Clause 7 sets out criteria for Responsible Dog Owner classification. Clause 8 require owners to remove faeces. Council may provide dispensers/containers at high-use sites. Clause 9 set out when barking may become a nuisance leading to Council action under sections 55 and 56 of the Act (written notice, impounding) Clause 10 specifies no more than 3 dogs at an urban premises. 4 or more after Council approval. Clause 11 sets out procedures for wandering dogs - impounding after first instance. Clause 12 describes rehoming procedures. Clause 13 notes Council's promotion of education.
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(f) continued	Clause 19 describes Council's promotion of dog control/training programmes.	Clause 11 notes Council encourages attendance at dog obedience course. Clause 12 states neutering requirements. Clause 13 sets out the procedure for rehoming of dogs from the Council pound. Clause 14 describes how a dog owner becomes disqualified and the obligations from that. Clause 15 describes how a dog owner becomes a probationary owner and the obligations from that. Clause 16 describes Council fee-setting requirements. Clause 17 notes information available at Council, Clause 18 describes impounding and release procedures at the pound. Clause 19 notes Council's ability to issue infringement notices under the Act for breaches of the Act or bylaw. Clause 20 requires a review of the policy every five years.	Clause 14 describes how a dog owner is classified as disqualified or probationary and the obligations from that.
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Attachment 3 Comparison of neighbouring council Dog Control Bylaws

Dog Control Act 1996	Manawatu District Council 2019	Tararua District Council 2022	Whanganui District Council 2023
Interpretation	Includes 'Under control' - either controlled by a leash that is being held by someone that is capable of restraining the dog, under direct control such as being held, or controlled by voice command where the dog must be within sight and obeys commands without hesitation. Clause 5.1 requires every owner to keep their dog under control in all public places and at all times.	A longer list of definitions, including 'boarding kennels', 'breeding kennels', 'diseased', (affected by any communicable disease), 'mangy' (to have any sort of mite or parasite infection)	Includes 'private way'
20(1)(a) Prohibited places	Schedule 1 - specific places identified.	Schedule 1C specifies public reserves, wildlife reserves, sports grounds, sports stadiums, children's playgrounds, Council public libraries, public swimming baths and Council cemeteries. Exemptions include any guide dog, hearing ear dog or companion dog, Police or security guard dog and any dog present for search and rescue.	Clause 7, refers to Schedule 1 of the policy - Council playgrounds, Council sports surfaces, Council cemeteries, Whanganui Airport (unless confined for carriage or a disability assist dog), and Schedule 2 - Town Centre, Lakes and premier parks (listed) and several specified
20(1)(b) Where leash required	Schedule 3 - includes Victoria Park (not the playing fields), Johnston Park, Kitchener Park, the Kowhai Park access route, and some specified sections of Feilding CBD (except during organised events)	Schedule 1B describes the leash controlled areas, including all streets in the residential, commercial or industrial areas of Dannevirke, Norsewood, Ormondville, Pongaroa, Eketahuna, Pahiatua and	Clause 8, refers to Schedule 1 of the policy - includes all roads, private ways, walkways, cycleways, shared pathways, and Schedule 2 - includes specified parts of beaches and specified
20(1)(c)	[Not required]	[Not required]	Clause 9, refers to Schedule 2 of the policy - specified parts of beaches and listed areas
20(1)(d) Dog exercise areas	Schedule 2 - identifies places in Feilding and other places - Himatangi Beach foreshore at least 400m from the mouth of the Kaikokopu Stream, Pohangina Valley Road reserve, Mt Stewart reserve, Sanson Domain (except when used for organised events) etc.	Schedule 1A describes the places where dogs may be exercised unleashed - specifically in Dannevirke and Pahiatua - and generally any areas of the District not listed in Schedule 1B or 1C	Clause 10, refers to Schedule 2, clause 7.
20(1)(e) Accommodation standards	{Not specified} Clause 10 requires dogs to be kept at least 1.8 metres of a boundary fence without first obtaining an exemption.	Clause 11.1 requires 'adequate accommodation' and defines this.	[Not specified]

20(1)(f) Limiting the number	Clause 9 sets a limit of two dogs for urban areas and five dogs in rural areas unless a multi-dog permit has been issued under clause 11. Clause 12 sets out the circumstances for revoking a multi-dog permit.	Clause 12 limited the number of dogs at any premises to two unless a 'Three Plus Permit' has been issued under clause 13.	Clause 13 sets a limit of three dogs unless approval for four (or more) has been given, on application, under clause 14. Matters to be considered are listed. Clause 15 provides for review because of change of circumstances, justified complaints, not meeting conditions of the approval. .
20(1)(g) Confinement	[Not specified]	Clause 11.4 requires the dog to be confined in the owner's land or premises so that it cannot freely leave. No time period is specified.	[Not specified]
20(1)(h) Faeces	Clause 14 Does not apply to any dog herding or driving stock on a road.	Clause 15	Clause 12. Does not apply to any dog herding stock on a road.
20(1)(i) Bitches	Clause 13	Clause 18 Clause 19 prohibits an owner from taking any mangy or diseased dog into any public place or wander free.	{Not specified}
20(1)(j) Impounding	[Not specified - either in the bylaw or policy although the Council operates an animal pound]	Clause 21	[Not specified - either in the bylaw or the policy, although the Council operates an Animal Pound]
20(1)(k) Neutering	Clause 17 requires the owner to be notified in writing of the requirements to be neutered where that is required by the Act or Council's policy.	Clause 17.3 reserves the right for Council to require a dog to be neutered other than by its classification, including behavioural issues. Clauses 17.1 and 17.2 require a dog classified as menacing to be neutered.	[Not specified] Clause 15.2 of the policy provides for neutering of each dog classified as menacing

20(1)(l) Other purposes	Clause 7 specified exemptions for Disability Assist Dogs to enter any premises registered under regulations made under section 120 of the health Act 1956 and any public place. Clause 8 allow the Council to require the owner of a dog being carried in a vehicle in a public place to remove the dog from the public place if the dog is creating a nuisance (noise or aggressive behaviour). Clause 15 prohibits an owner of a dog suffering from an infectious disease or condition to take that dog into any public place or to permit it to wander free on any other premises or public place. Clause 19 sets out how dogs will be classified as working dogs. Clause 20 requires a probationary owner to undertake a dog owner education programme or dog obedience course if so notified by the Council.	Clause 9 permits the Council CE to temporarily declare any public place to be a prohibited public place for a specified time or suspend the designation of a prohibited public place for a specified period for a specific occasion or event. Clause 14 sets out requirements for boarding kennels and breeding kennels Clause 16 allows any disability assist dog accompanying a person with a disability to enter any public place or premises registered under section 120 of the Health Act 1956 (which includes eating houses). Clause 22 sets out the role of Council's Tribunal and Hearings Committee to hear objections to classification of probationary owners, disqualified owners, menacing dogs, dangerous dogs and barking abatement notices.	Clause 11 provides for temporary changes to dog access rules, including leisure and culture; events (including dog friendly events), dog training, protected wildlife or flora that are vulnerable to dogs, pest control in any park or beach.
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Section 155 Determination for Council's Control of Dogs Bylaw and Dog Control and Owner Responsibility Policy

The Policy/Planning Committee on the 12 March 26 determined that under section 155 of the Local Government Act 2002 that a bylaw for the control of dogs is the most appropriate way of addressing the problems of managing dogs in the Rangitikei District and to give effect to the requirements of the Dog Control Act 1996, noting that section 10(6) of the Dog Control Act 1996 requires the Council to make a bylaw to enforce its Dog Control and Owner Responsibility Policy.

Resolved minute number 26/PPL/001

That the Policy/Planning Committee makes a determination under section 155 of the Local Government Act 2002 that a bylaw for the control of dogs is the most appropriate way of addressing the problems of managing dogs in the Rangitikei District and to give effect to the requirements of the Dog Control Act 1996, noting that section 10(6) of the Dog Control Act 1996 requires the Council to make a bylaw to enforce its Dog Control and Owner Responsibility Policy.

Cr D Wilson/Cr P Hiroa. Carried