

Attachment 1 Alignment with statutory requirements

Section 10(3) Dog Control Act 1996	Rangitikei District Council Dog Control and Owner Responsibility Policy
Every policy adopted under this section:	
(a) shall specify the nature and application of any bylaws made or to be made under section 20	<p>Clause 7.10 notes that the Council's Control of Dogs Bylaw includes:</p> <ul style="list-style-type: none"> *prescribing minimum standards for the housing of dogs, *regulating and controlling dogs in public places, *designating specific areas as dog exercise area, *requiring dogs, other than working dogs, to be controlled on a leash in specified public places, or in public places in specified parts of the district, *requiring owners of dogs that defecate in public places (except as exempted by the Bylaw) to immediately remove faeces, *requiring bitches in season to be confined, and *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.
(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	<p>Clause 7.6 specifies the areas prohibited to dogs (except for working dogs carrying out their function as a working dog): all public buildings, playing surfaces of sports grounds (and up to 20 metres of the playing surfaces where contained within the perimeter fence of the sports grounds), public swimming pools, all children's playgrounds in public places, picnic areas, the Wilson Road stock route, Hunterville.</p>
(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	<p>Clause 7.7 provides that 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.</p>
(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)	
(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	<p>Clause 7.8.1 specifies the four designated dog exercise areas in the district:</p> <p>Marton - the periphery of Wilson Park (excluding the children's playground)</p> <p>Taihape - the north eastern section of Taihape Domain and 16-18 Robin Street</p> <p>Bulls - the northern section of Bulls Domain.</p> <p>Clause 7.8.2 provides that other areas may be designated dog exercise areas by resolution of Council and these may include certain beach areas.</p> <p>Clause 7.8.3 notes that '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'.</p>

<p>(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.</p>	<p>Clause 7.4.10 gives discretion to a Senior Dog Control Officer to require a classified menacing dog to be neutered within a month of notice (or if unfit, within one month of the date specified on the veterinary certificate)</p>
<p>(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.</p>	<p>Clause 7.4.10 gives discretion to a Senior Dog Control Officer to require a classified menacing dog to be neutered within a month of notice (or if unfit, within one month of the date specified on the veterinary certificate). Clause 7.4.12 confirms the classification of a menacing dog extends throughout all New Zealand.</p>
<p>(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</p>	<p>Clause 7.1 sets out the fees and charges - registration fees, penalties for late registration and impounding fees Clause 7.9 explains that Council does not provide owner education programmes or dog obedience courses but will continue to visit schools to familiarise children on issue of dog safety and caring for their dog, and may direct nuisance dog owners or probationary dog owners to approved courses or classes. Clause 7.5 sets out Dog owner classification, specifying the requirements for a 'Responsible Owner', the effect of being classified as a 'Probationary Owner' or a 'Disqualified Owner' and the duties of each. Clause 7.11.4 sets out when infringement notices are issued, <i>In addition -</i> Clause 7.12 sets out the arrangement for the Dog Pound, including conditions for releasing a dog.</p>

Section 20 Dog Control Act 1996	Rangitikei District Council Control of Dogs Bylaw
<p>...for all or any of the following purposes</p>	
<p>(a) prohibiting dogs, whether under control or not, from specified public places</p>	<p>Clause 11 sets out the 'dog prohibited areas' (These are the same as specified in clause 7.6 of the Policy)</p>
<p>(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</p>	<p>Clause 10 requires this. It also notes requirements for a leash or chain on any dog placed on an open tray of a vehicle (unless the dog is placed in a cage or similar enclosure which can adequately contain it)</p>
<p>(c) regulating and controlling dogs in any other public place</p>	
<p>(d) designating specified areas as dog exercise areas</p>	<p>Clause 13 mirrors clause 7.8.1, adding in the Turakina Reserve.</p>
<p>(e) prescribing minimum standards for the accommodation of dogs</p>	<p>Clause 14 specifies the standards. .</p>
<p>(f) limiting the number of dogs that may be kept on any land or premises</p>	<p>Clause 20 limits the number of dogs two unless Council has issued a multi-dog permit (issued for a three-year period)</p>

(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	Clause 15 requires the dog owners to provide the means of confining the dog within the owner's property. No time period is specified.
(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	Clause 17
(i) requiring any bitch to be confined but adequately exercised while in season	Clause 16 - extended to include any dog suffering from an infectious disease.
(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	Clause 21, includes provision requiring an impounded unregistered dog to be registered, and microchipped and have all fees paid before being released and authorising Council to dispose of an unclaimed dog after seven days from the receipt of the written notice to the owner (or seven days after the dog has been impounded if the owner cannot be identified.
(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)	No requirement
(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.	<p>*Clause 12 allows dogs to be in a prohibited place for a dog show not exceeding 48 hours, subject to prior written authorisation by the Council CE.</p> <p>*Clause 18 prohibits any person (not just the 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)</p> <p>*Clause 19 allows the Council to issue a notice to a dog owner where a dog or dogs on the property have become (or likely to become) a nuisance or injurious to health. That notice could include a requirement to reduce the number of dogs, repairing the kennel or constructing a new one.</p>