

CONTROL OF DOGS

Dunedin City Council Dog Control Bylaw 1997

Former Bylaws Repealed

Section 5 of the Dunedin City Council Dog Control Bylaw 1997 on Control of Dogs is hereby repealed and all bylaws of the Dunedin City Council already in force shall be read subject to this bylaw. In the event of conflict between the provisions of any former bylaw and the provisions of this bylaw, the provisions of this bylaw shall prevail.

5.1 Meaning of Owner

In this By-law, "Owner" in relation to any dog means every person who:

- (a) Owns a dog; or
- (b) Has possession of the dog, whether the dog is at large or in confinement, otherwise than for the sole purpose of restoring a lost dog to its owner; or
- (c) Is the parent or guardian of and shares a household with a person under the age of 16 years who is the owner of the dog pursuant to paragraph (a) or (b) of this definition:

But does not include any person who has seized or taken custody of the dog under the Dog Control Act 1996 or the Animal Protection Act 1960 or any regulation made under either of those Acts.

5.2 Shelter for dogs

(1) The owner of any dog shall provide for it a weatherproof kennel or place of confinement of adequate size with access to clean water, constructed on well-drained ground and, in the case of a kennel without other means of confinement, provided with a fixed chain or running wire which allows the dog free movement about the kennel. All kennels or places of confinement shall be kept in a reasonable, clean and sanitary condition. A place of confinement may include a dwelling.

(2) Animal Control Officers will have discretion to determine what is reasonable.

(3) No owner of any dog shall keep it on any premises in any kennel or place of confinement, other than a dwelling, any part of which is nearer than two metres to any boundary of those premises.

5.3 Control of dogs on a Leash

(1) The owner and any person for the time being having charge of any dog shall ensure that the dog does not enter or remain in any public place unless it is kept on a leash, chain or lead which is in turn secured or held so that the dog cannot break loose

Except

That a dog may be exercised without being restrained during the hours commencing ½ hour before sunrise and ½ hour after sunset in any public place where dogs are allowed other than a road, street or prohibited area. The dog must be under continuous control whilst being exercised. For the purpose of this clause it shall be deemed to be sufficient control if the dog is under the continuous surveillance or control of some responsible person and the dog does not give rise to any reasonable complaint as to its behaviour while being exercised.

In dog exercise areas dogs can be exercised at any time but must still be under the control or surveillance of some responsible person.

(2) The provisions of 5.3(1) shall not apply to a working dog (as described in Section 2 of the Dog Control Act 1996) carrying out the work in respect of which the dog has been registered.

(3) Notwithstanding any other provision of this Bylaw, the entry of dogs on to any public place specified in Section 5.5 is prohibited.

5.4 Dog Exercise Areas

Dogs within Exercise Areas may be exercised at large at all times while under continuous surveillance and effective control, or on a leash according to the appropriate signage for that area within the exercise area, Except dogs are not permitted to enter children's playgrounds and market sports grounds where these are adjacent to Exercise Areas.

The designated Dog Exercise Areas are contained in Section (a) of the attached Schedule.

See also Section (b) and (c) of the Schedule for details on tracks and reserves where dogs under control are allowed.

Owners must pick up and wrap all offensive material deposited by their dogs on Exercise Areas and place into the litter bins provided.

5.5 Public Places in which Dogs are Prohibited

Dogs are prohibited in those places listed in Section (d) of the attached Schedule at all times unless otherwise specified.

5.6 Fouling in Public Places

No person being the owner or a person having charge of any dog shall permit the dog to foul in a public place with droppings or on land or premises other than that occupied by the owner.

(1) Provided that, no offence shall be deemed to have been committed against this bylaw where the owner or the person having charge of the dog removes the droppings immediately after the dog has deposited them.

(2) Any person having charge of any dog shall at all times while exercising the dog whether within a designated exercise area or any public place carry a suitable receptacle to remove and dispose of dog droppings immediately after the dog has deposited them.

(3) A suitable receptacle shall be defined as a plastic bag, paper bag or designed pooper scooper.

(4) Where a public litter bin or similar receptacle is used to dispose of the droppings, they must be suitably wrapped or contained to prevent fouling the receptacle.

5.7 Infectious or Infested Dogs

No person being the owner or having control or charge of any infectious or infested dog shall take the same into any public place or permit or suffer such dog to enter or remain in a public place except when being taken to a veterinary clinic.

5.8 Nuisances

(1) The owner of any dog and the owner or the occupier of any premises on which any dog or dogs are kept shall:

(a) Take adequate precautions to prevent the dog or dogs or the keeping thereof from becoming a nuisance or annoyance.

(b) Keep every bitch in season confined but adequately exercised.

(2) If, in the opinion of the Council, any dog or dogs or the keeping thereof on any premises has become or is likely to become a nuisance, the Council may, by notice in writing, require the owner or occupier of the premises within a time specified in such notice, to do all or any of the following:

- (a) Reduce the number of dogs kept on the premises
- (b) Order the permanent removal of a single dog on a property.
- (c) Construct, alter, reconstruct or otherwise improve the kennels, places of confinement or other buildings used to house or contain such dog or dogs (Animal Control Officers will have the discretion to determine what is acceptable or reasonable).
- (d) Require such dog or dogs to be tied up or otherwise confined during specific periods.
- (e) Take such other action as the Council deems necessary to minimise or remove the likelihood of nuisance.

(3) The owner of every dog shall ensure it does not create a nuisance or annoyance:

- (a) By obstructing the lawful passage of persons in public places;
- (b) By rushing and frightening persons in a public place or lawfully on private property;
- (c) Shall not permit it to be kept in circumstances that may be offensive or likely to be injurious to health;
- (d) Shall not permit or allow it at any time to destroy, tear or otherwise interfere with any refuse container whether the container is on private property or in a public place.

5.9 Permit to keep more than one dog

(1) No more than one dog of registrable age (whether or not such a dog is registered) may be kept on any premises unless:

(a) The owner or occupier is the holder of a kennel permit to keep two or more dogs; or

(b) The premises are zoned rural in the relevant Dunedin City Operating District Plan.

(c) Notwithstanding the exception in (b), if a justifiable complaint is received about any dog on the premises the Council may, in its discretion, require the owner to apply for and obtain a kennel permit for all dogs on the premises.

(2) No permit shall be granted to the owner or occupier of any premises if such premises by reason of inadequate fencing, size, location or detrimental effect on any other premises would be inappropriate for the housing of two or more dogs.

(3) If the property in which the dog owner resides is leased/rented, the written consent of the property owner is required to keep 2 dogs on that property before any consideration for a Kennel permit will be given. A copy of such consent must be forwarded to Council.

(4) A permit issued under this Clause is subject to the conditions set by the Council. Any breach of such conditions or other terms or restrictions shall be a breach of this Bylaw. Any permit may be revoked by the Council for breach of conditions or, in the event of change of circumstances relating to the premises, the owner or occupier thereof or the animals kept or remaining on such premises.

(5) Applications for permits to keep more than one dog shall be made on the form supplied by the Council and shall provide such information in respect of the application as the Council may reasonably require.

(6) There shall be paid to the Council for every such permit an Inspection fee which the Council may from time to time by resolution publicly notified prescribe, and on each 1st day of July following the date of issue, an annual fee may be charged for the following twelve months.

(7) The fee for such permits shall be payable in addition to the registration fees payable under the Dog Control Act 1996.

5.10 Impounding of dogs

When any contravention of Section 52 (1)(2) of the Act occurs, the dog may be impounded in a dog pound in accordance with Section 52(3) of the Dog Control Act 1996. Animal Control Officers may elect in some circumstances to require the owner of a continually offending dog to have the dog neutered or spayed.

5.11 Dog Control Fees

The Council will regularly review its dog control fees. Fees will be set by resolution, publicly notified and advertised.

SCHEDULE

(A) Designated Dog Exercise Areas

Rotary Park – Highcliff Road
 Forrester Park – Norwood Street
 Brockville Park – adjacent to Dalziel Road
 Cemetery Road – East Taieri
 Shand Park – Brighton Road, Green Island
 Reserve at corner of Wakari and Taieri Roads
 Kew Park – Corner of Easter Cres and Forbury Road

(NOTE: dogs are not permitted in children's playgrounds or on marked sports grounds adjacent to any of these Exercise Areas).

(B) Tracks and Reserves where Dogs are Allowed

Controlled dogs permitted without a leash unless otherwise specified.

Dunedin City

Market Reserve – Princes Street
 Bethunes Gully
 Ferntree (on a leash)
 Leith Valley Scenic Reserves (DOC)
 Ocean Beach Domain
 Ocean Grove Recreation Reserve
 Ross Creek (on a leash)
 Frasers Gully
 Woodhaugh Gardens (on a leash on defined walking Tracks only)

Flagstaff

Flagstaff/Swampy
 Jim Freeman Track
 Nicols Falls
 Pineapple Track (on a leash)
 Whare Flat

North of Dunedin

Aramoana Beach (DOC)
 Bucklands Crossing
 Cleghorn Street
 Doctors Point
 Evansdale Glen
 Huriawa Pa (DOC)
 Karitane Esplanade Reserve

Long Beach Recreation Reserve
 Mapoutahi Pa (DOC)
 Purakanui Recreation Reserve
 Ravensbourne Signal Hill
 Scott Memorial
 Truby King Reserve (on a leash)
 Waikouaiti Recreation Reserve
 Waikouaiti River Foreshore and Duncansby Street River Reserve (on a leash)
 Warrington Recreation Reserve

Peninsula

Alans Beach (DOC)
 Bacon Street to Highcliff Road
 Camp Road
 Greenacres Street
 Karetai Road

Silverstream

Racemans

South of Dunedin

Brighton Recreation Reserve
 Island Park Recreation Reserve
 Ocean View Recreation Reserve
 Westwood Recreation Reserve

(C) Areas where a Hunting Permit is Required

Permits are necessary to take your dog into the following areas for hunting purposes.

Allans Beach Wildlife Management Reserve (DOC)
 Chalkies (DOC)
 Maungatua Scenic Reserve (DOC)
 Silverpeaks (DOC)
 Woodside Glen Track (DOC)
 Taieri Gorge Scenic Reserve (Outram Glen) (DOC)

NOTE: All are Dunedin City Council tracks unless otherwise stated.

(D) Areas where Dogs are Prohibited

Areas laid out and equipped as children's playgrounds. The designated playing area of all sports grounds. All cemeteries.

COMMERCIAL AREAS:

The Octagon, the Civic Centre, the Library Plaza and those areas of Princes Street and George Street which lie between the Exchange and Knox Church, King Edward Street, South Dunedin between Hillside and Macandrew Roads.

Except

This prohibition does not apply to guide-dogs for the blind, police dogs and dogs being used by security guards, working dogs, dogs confined in an efficient container, or securely confined in or by lead or restraint on a vehicle. No offence shall be committed when a dog securely controlled by means of a lead, leash or chain is being taken through the defined area to the nearest area where the dog may be exercised by a resident of the defined area.

Beach Areas:

Designated areas of bathing beaches (other than St Clair Beach and Brighton Beach) these areas being between the flags where life guards mark the safe areas for swimming during periods when daylight saving is in force.

St Clair Beach and Esplanade:

- (a) All of the beach from the Salt Water Pool to the nearest piles on the beach to the north.
- (b) The park on Victoria Road adjoining the playground area, the playground area itself and the sealed area adjacent to this that starts at the Esplanade and extends past the Surf Club to the beach track.
- (c) The Esplanade area which fronts and runs parallel to the sea wall to where it meets Beach Street to the south.
- (d) The asphalt carpark that is accessed from the Esplanade.
- (e) The reserves park situated between the asphalt carpark that is accessed from the Esplanade and Bedford Street.

Except

That an access for persons walking their dogs be allowed through the no dog area from the corner of Bedford Street and Victoria Road in a direct line up the Forbury Road extension, in front of the Surf Club and on to where the walking track begins and from this point onto the beach to the piles, where the dog may be released. Dogs would only be allowed on this specific area when being led and when being taken past the northern most piles.

Except

That when access from the walking track to the beach is not possible because of high tides or washouts on the track, dog owners may access the beach by means of the steps closest to the Surf Club and then proceeding in a direct line to the piles to the north.

Brighton Beach:

All of the area within the bay from the Big Rock to the small cliff at the North end of the domain including the estuary and all of the beach within the confines of Brighton Road.

The Macandrew Bay Beach Reserve

The Ocean Grove Sand Dunes reclamation area

Pilots Beach Recreational Reserve

The Broad Bay Beach Reserve

CONSERVATION ACT 1987 AREAS:

Okia Reserve, Boulder Beach, 41 Peg Road, District Road, Paradise Road, Ridge Road, Nyhon Road, Bacon Street.

Extension to Nyhon Road, Bacon Street side road to Portobello.

Buskin Road (Otago Peninsula)

Lighthouse Reserve (Tairaroa Head)

Woodside Glen (Outram)

PARKS, TRACKS AND RESERVES:

The Botanic Gardens

Woodhaugh Gardens (other than on defined bush walking tracks).

Highcliff Road to Hoopers Inlet

Lime Kilns

McTaggart Street

Mount Charles
Okia (Victory Beach)
Paradise Road
Pipikaretu Beach
Quion Cliff
Sandfly Bay (DOC)
Sandymount to Sandfly Bay (DOC)
Sandymount Track Network (DOC)
Seal Point Road to Sandfly Bay
Taiaroa Head (DOC) (DCC)

West of Dunedin

Deep Stream Scenic Reserve (DOC)
Grangers Road Track (DOC)
Hyde-Middlemarch Rail Trail (DOC)
Mill Creek Track (DOC)
Outram Glen to Lee Stream (DOC)
Sutton Salt Lake Scenic Reserve (DOC)

North of Dunedin

Aramoana-Hayward Point (DOC)
Careys Creek (DOC)
Grahams Bush Walk (DOC)
Hawksbury Lagoon (DOC)
Leith Saddle (DOC)
Matanaka (DOC)
Organ Pipes (DOC)
Mount Cargill (DOC)
Orokonui (DOC)
Sir A H Reed Memorial Track

South of Dunedin

The Green Island Nature Reserve (an island) (DOC)
Tunnel Beach (DOC)

Dunedin City

Burns Park (Signal Hill)
Goat Island (DOC)
Quarantine Island (DOC)