

DOG CONTROL ACT 1996

ADDITIONAL INFORMATION

This information is given to every dog owner for handy reference.

OBLIGATIONS IMPOSED ON DOG OWNERS BY THE ACT

Sections 52, 52A, 54, 54A and 55 of the Act read as follows:

52. CONTROL OF DOG

- (1) The owner of any dog shall keep that dog under control at all times.
- (2) Without limiting the generality of subsection (1) of this section, a dog shall be deemed to be not under control-
 - (a) If it is found at large on any land or premises other than a public place or private way without the consent (express or implied) of the occupier or person in charge of that land or those premises, or
 - (b) It is found at large in any public place in contravention of any regulation or bylaw.
- (3) Where a dog is not under control in terms of subsection (2) of this section, the dog control officer or dog ranger may seize the dog and cause it to be returned to its owner or impounded.

52A. CONTROL OF DOG ON OWNERS PROPERTY—

- (1) This section applies when a dog is on land or premises occupied by its owner.
- (2) The owner of a dog must, at all times, ensure that either—
 - (a) the dog is under the direct control of a person; or
 - (b) the dog is confined within the land or premises in such a manner that it cannot freely leave the land or premises.
- (3) Every person commits an offence and is liable on summary conviction to a fine not exceeding \$3,000 who fails to comply with subsection (2).
- (4) If a person fails to comply with subsection (2), a dog control officer or dog ranger may—
 - (a) seize and impound the dog; and
 - (b) for the purposes of paragraph (a), enter, at any reasonable time, the land or premises (except a dwelling house) owned or occupied by the owner of the dog.

54. OBLIGATIONS OF DOG OWNER

- (1) The owner of any dog shall-
 - (a) Ensure that the dog receives proper care and attention and is supplied with proper and sufficient food, water and shelter and
 - (b) Ensure that the dog receives adequate exercise.
- (2) Every person commits an offence and is liable on summary conviction to imprisonment for a term not exceeding three (3) months or a fine not exceeding five thousand dollars (\$5,000) who, being the owner of any dog, fails to comply with subsection (1) of this section.

54A. OWNER MUST USE OR CARRY A LEASH IN PUBLIC

- (1) The owner of a dog must use or carry a leash at all times while he or she is with the dog in a public place.
- (2) Every person commits an offence and is liable on summary conviction to a fine not exceeding \$500 who, being the owner of the dog, fails to comply with subsection (1).
- (3) This section does not apply to the owner of a working dog.

55. BARKING DOGS

- (a) Where a dog control officer or dog ranger has received a complaint and has reasonable grounds for believing that a nuisance is being created by the persistent and loud barking or howling of any dog, the dog control officer or dog ranger may-
 - (a) Enter at any reasonable time upon the land or premises, other than the dwelling house, on which the dog is kept, to inspect the conditions under which the dog is kept, and
 - (b) Whether or not the dog control officer or dog ranger makes such entry, give the owner a written notice requiring that person, to make such reasonable provision on the property to abate the nuisance as shall be specified in the notice, or if considered necessary, to remove the dog from the land or premises.

It is a requirement of the Dog Control Act 1996 that all dogs be registered for the current period.

BYLAW OBLIGATIONS

There are also Upper Hutt City Council Bylaws and a Dog Control Policy in force to assist in the control of dogs copies of which maybe obtained by phoning or visiting the Council Offices.



DOG REGISTRATION INFORMATION GUIDE



NOTES TO THE FEE SCALE

1. Guide Dogs are classified as seeing or hearing dogs only. For new registrations a certificate is required from the Hearing or Blind Association stating that the dog is a Guide Dog.
2. A Police Dog is a dog under the control of the Royal New Zealand Police Dog Training School.
3. Rural Dogs are dogs that are kept in an area zoned 'Rural' or 'Rural Lifestyle' in Council's District Plan.
4. Special Owner Policy classification is allowed to those owners who:
 - control their dog(s);
 - securely contain the dog(s) within the property they are kept on, while allowing people access to a door of the residence on the property without encountering the dog(s), or has signs erected on or near the front entrance of the property, alerting to the presence of the dog(s).
 - register their dog(s) by 1 August of each year.
 - have not been issued an infringement notice or had any dog(s) impounded within the last 12 months.

If you claim this class and sign the declaration, you are declaring that you meet the Special Owner policy requirements of Council's Dog Control Policy.

5. To claim the neutered class, the dog must be recorded as such with the Council. If it is not, a Veterinarian's Certificate must be produced.
6. By signing the registration form you are certifying that all the details are correct.
7. There are penalties for making a false declaration.
8. **The birth date of the owner is required by the Dog Control Act 1996.**
9. Following changes to the Dog Control Act 1996, your dog maybe classified as menacing.

There are two ways this may have occurred;

 - it has displayed aggressive behaviour and a dog control officer has classified it as a menacing dog.
If your dog is classified as a menacing dog because of aggressive behaviour, your fee code will be QD; or
 - your dog is one of the four breed types classified as a menacing dog by the Dog Control Act 1996.
If your dog is classified as a menacing dog because of its breed type, you will find the appropriate class and fee from the main list. You will have a Q in your fee class, which shows your dog to be classified as a menacing breed.
10. If your dog is classified as dangerous, your fee class will be K.

DOG EXERCISE AREAS

Dogs may be exercised at large, but under the control of their owners or a responsible person who has the owner's permission to walk and/or exercise that dog in all Upper Hutt parks, except:

- at times when Council approved activities are in progress; and
- in all playgrounds at all times; and
- in all sports fields at all times; and
- in wildlife areas at all times, namely Birchville Park and Te Haukaretu Park;

provided that the dogs do not cause a nuisance, or annoy any other users of these areas.

MICRO-CHIPPING OF DOGS

The following dogs must be microchipped from 1 July 2006:

- a) dogs classified menacing or dangerous; and
- b) all dogs registered for the first time.

TWO COMMON DOG PROBLEMS (reported to Animal Control)

DOGS RUSHING AT PEOPLE

We often hear "*but he only wanted to say hello, he is really friendly, he won't hurt you*". **BUT** you should never let your dog rush at people when you are out walking him/her.

"Rush at and startle" is deemed to be an attack. (*Dog Control Act 1996 Section 57A*).

Remember, not everyone likes dogs and having a strange dog rush at you can be a terrifying experience. If your dog tends to rush up to strangers to say hello, try walking your dog on a long rope with a dog clip spliced to it (attached to the dog's collar) so you can let your dog run free but still have it under control. You can then quickly pull your dog back in if it begins to rush up to a stranger.

DOG POOP IN PUBLIC PLACES

One thing we, as dog owners know, is that our dogs never just go in their own backyards. When taking your dog anywhere, always make sure you have a supply of plastic bags. It is an offence to allow your dog to defecate in a public place and not clean up after it, not to mention how disgusting it is to step in dog poop that someone has failed to clean up. Let's all do our bit to be responsible dog owners and clean up after our dogs.

CUSTOMER SERVICES

Who should you contact for services?

Telephone (04) 527-2169
Fax (04) 528-2652

Where are our offices?

Civic Administration Building
838-842 Fergusson Drive
Upper Hutt

When are they open?

Monday ~ Friday 8 am to 5 pm

Emergency 24 hour telephone

(04) 527-2169

What to do when your dog has gone missing.

After looking for your dog please try the following:

1. Ring Animal Control - 527-2169
2. Ring the local vets.



CLASSES AND FEE SCALE

		Fees on or before 1st August 2010	Fees on or after 2nd August 2010
GD	Guide Dog ¹	5.00	7.50
PD	Police Dog ²	36.00	54.00
RD/QR	Rural Dog ³	56.00	84.00
SO/QS	Special Owner ⁴	66.00	144.00
SN/QF	Special Owner with a Neutered Dog ⁵	56.00	129.00
N/QN	Neutered Dog ⁵	86.00	129.00
J/QJ	General Registration	96.00	144.00
K	Classification Dog (Dangerous) ¹⁰	156.00	234.00
QD	Menacing Dog (section 33A) ⁹	106.00	159.00

The National Dog Database Levy of \$2.50 is included in the above fees.

An infringement notice may be issued to dog owners who fail to register their dogs by 1 August 2010. The fee for this is \$300.00

PLEASE NOTE:

Penalty fees apply from 2 August 2010.

Those owners who claim Special Owner (SO, SN, QS, QF) can only claim for the current year if the fee is paid on or before 1 August 2010 (see note 4) or General Registration fees (J or N) will apply from 2 August 2010.

Refer to the dog registration guide for notes to the fee scale.