DOG CONTROL BYLAW

Document Type	Bylaw
Adopted by	Full Council
Date Adopted	TBC
Date Effective	14 May 2025
Responsible Department	Regulatory
Responsible Officer	Regulatory Services Manager
To be reviewed	With Dog Control Policy 2025 or 1 July 2035, whichever is sooner

1. Introduction

1.1. The Local Government Act 2002 allows the Council to protect the public from nuisance by introducing a bylaw. This bylaw is made pursuant to Section 145 of the Local Government Act 2002 and Section 20 of the Dog Control Act 1996.

1.2. This bylaw should be read in conjunction with the "Gore District Council Dog Control Policy" and the Dog Control Act 1996.

2. Commencement and Repeal

2.1. This bylaw shall be known as the Gore District Council Dog Control Bylaw 2025 and will come into force on 14 May 2025.

2.2. The Gore District Dog Control Bylaw 2013 is hereby repealed from the day this bylaw comes into force.

3. Purpose and Exclusions

3.1. This bylaw only applies to dogs and is made for the effective control and regulation of dogs in the Gore District.

3.2. The bylaw does not include animal welfare matters. The Animal Welfare Act 1999, Ministry of Primary Industries Code of Welfare: Dogs and Animal Welfare (Care and Procedures) Regulations 2018 refer.

4. Interpretation

4.1. In this Bylaw, unless inconsistent with the context:

4.2. To assist with the understanding of this bylaw the following definitions have been included. All definitions, except the definition of a 'roaming dog' are taken from the Dog Control Act 1996. All references made below to the 'Act' are in relation to the Dog Control Act 1996.

Disability Assist Dog – means a dog certified by one of the organisations listed in Schedule 5 of the Act as being a dog that has been trained (or is being trained) to accompany and assist a person with a disability. For information, the organisations listed in Schedule 5 as of 10 March 2025 are:

- Assistance Dogs New Zealand
- Hearing Dogs for Deaf People New Zealand

- K9 Medical Detection New Zealand
- Mobility Assistance Dogs Trust
- New Zealand Epilepsy Assist Dogs Trust
- Pawsible Service Dogs
- Perfect Partners Assistance Dogs Trust
- Royal New Zealand Foundation for the Blind Incorporated

District Plan – means the operative Gore District Plan pursuant to the Resource Management Act 1991.

Officer – means an Animal Control Officer or Dog Ranger appointed under the Dog Control Act 1996 and includes an honorary dog ranger.

Owner – every person who:

- owns the dog; or,
- has the dog in his or her possession, whether the dog is at large or in confinement (otherwise than for a period not exceeding 72 hours), for the purpose of preventing the dog from causing injury, damage, or distress or for the sole purpose of restoring a lost dog to its owner; or,
- the parent or guardian of a person under the age of 16 years who:
    - is the owner of the dog pursuant to this definition, and,
    - is a member of the parent or guardian's household living with a dependant on the parent or guardian.

but does not include any person who has seized or taken custody of the dog under this Act, the Animal Welfare Act 1999 or the National Parks Act 1980 or the Te Urewera Act 2014 of the Conservation Act 1987 or any order made under this Act or the Animal Welfare Act 1999.

Property – means a piece of land or real estate.

Public Place – means public place a defined in Section 2 of the Dog Control Act 1996.

Reserve – means any park, garden, plantation, forest, open space or ground set aside for public recreation or enjoyment and which is controlled or administered by the Council.

The Council – the Gore District Council.

Working Dog – means working dog as defined under Section 2 of the Dog Control Act 1996.

5. Shelter for Dogs

Community safety and wildlife protection

5.1. The owner of any dog shall provide for it:

a) a weatherproof kennel or place of confinement of adequate size, constructed of well drained ground; and

b) access to clean water; and

c) 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.

5.2. All kennels or places of confinement shall be kept in a reasonable, sanitary condition. A place of confinement may include a dwelling.

5.3. No owner of any dog shall keep it on any property in any kennel other than a dwelling, any part of which is nearer than one metre to any boundary of the property. Exceptions will apply to properties that are too small to accommodate this, or a kennel is adjoining a solid fence or wall and does not cause a nuisance to neighbouring properties.

6. Control of Dogs in a Leash Control Area

6.1. Where a dog is in a public area, it must be on a leash and under control at all times.

6.2. Dog owners must ensure that their dog is kept under control at all times; and when in public places (excluding specified off leash areas) dogs must be on a leash held by a person who is capable of controlling the dog. This is to protect public safety and to help to ensure the safety of dogs and other animals.

7. Controlled Public Places

7.1. All dogs must be kept under proper and effective control at all times. A dog may be allowed to be unrestrained in any area that is not defined under this Bylaw as a leash control area or prohibited area provided that the dog is properly controlled.

8. Dogs Exercise Areas

8.1. Dogs within designated dog exercise areas may be exercised at large at all times while under direct control, or on a leash according to the appropriate signage for that area. Refer to Schedule A designated dog exercise areas.

8.2. Owners must pick up and dispose of dog faeces deposited by their dogs in any exercise area immediately.

9. Public Places in which Dogs are Prohibited

9.1. The Council may prohibit dogs from certain areas where it considers necessary for the protection of the health and safety of the public, or where it is considered desirable due to intense public use or the need to protect an area from dogs or for such other purpose as the Council may from time to time consider appropriate.

9.2. Dogs are prohibited in those places listed in Schedule A at all times unless otherwise specified. This excludes any dog defined as or being trained as a disability assist dog.

9.3. The Council may from time to time make areas temporarily prohibited to dogs because of any potential conflict with people, domestic animals, or at the advice of the Department of Conservation, wildlife. Temporary prohibitions will be notified by signage placed at the points of entry to the areas and by way of public notice on the Council's website.

10. Fouling in Public Places

10.1. Every person who, being the owner of a dog which defecates in any public place, or on any land or premises other than land or premises occupied by that person, shall immediately remove the faeces. Where a public litter bin or similar receptacle is used to dispose of the faeces, the faeces must be suitably wrapped or contained to prevent fouling of the receptacle.

11. Infectious or Infested Dogs

11.1. No person being the owner or having control or charge of any infectious 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 or from a veterinary clinic.

12. Bitches in Season

12.1. No person being the owner or having control or charge of any bitch in season 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 or from a veterinary clinic. Such bitches shall be kept confined but adequately exercised.

13. Nuisances

13.1. Nuisance covers a wide range of issues and includes (but is not limited to) persistent and loud barking or howling, dog faeces, roaming, and general dog activities. The owner of any dog, and the owner or occupier of any premises on which any dog or dogs are kept shall ensure it does not create a nuisance or annoyance by:

a) ensuring the dog does not obstruct the lawful passage of persons in public places; or

b) ensuring the dog does not rush and/or frighten persons in a public place or lawfully on private property; or

c) taking adequate precautions to prevent the dog or dogs, or the keeping thereof, from becoming a nuisance or annoyance; or

d) permitting it to be kept in circumstances that may be offensive or likely to be injurious to health; or

e) allowing 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.

13.2. 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 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; or

e) take such other action as the Council deems necessary to minimise or remove the likelihood of nuisance.

14. Dog Classifications

Dangerous Dogs

14.1. Dangerous Dog has the same definition as in section 31(1) of the Dog Control Act 1996.

14.2. The owner of any dog classified as dangerous must follow these additional obligations:

a) the owner must ensure the provision of a secure area for the dog where it is possible to gain unrestricted access to at least one door of the dwelling;

b) the dog must be muzzled in any public place when not confined in a vehicle or cage;

c) the owner may not rehome the dog to any other person without the written consent of the Council;

d) the dog must be desexed within one month of the dog being classified as dangerous; and

e) pay 150% of the standard owner registration fee.

14.3. The Council has delegated to the Chief Executive the authority to classify dogs as dangerous.

Menacing Dogs

14.4. The Council considers a dog to be menacing either by a dog's behaviour or a specific breed or type in accordance with the following provisions of the Dog Control Act 1996:

a) section 33A Territorial authority may classify dog as menacing; or

b) Section 33C Dogs belonging to breed or type listed in Schedule 4 to be classified as menacing.

Menacing by Behaviour:

14.5. If the Council considers a dog to be menacing by behaviour, the owner is required to meet any or all of the obligations listed below:

a) ensure that the dog is muzzled in any public place when not confined in a vehicle or cage;

b) ensure the provision of a secure area where unrestricted access to at least one door of the dwelling is possible;

c) not rehome the dog to any other person without the Council's written consent;

d) desex the dog - the owner of the dog must produce to the Council, within one month after the receipt of notice of classification, a certificate issued by a registered veterinary surgeon certifying:

i) that the dog is or has been neutered; or

ii) that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered.

Menacing by Breed or Type

14.6. The following breeds and types of dogs are automatically considered menacing under the Act:

a) Breeds:

i) Dogo Argentino

ii) Brazilian Fila

iii) Japanese Tosa

iv) Perro de Presa Canario

b) Type:

i) American Pit Bull Terrier

14.7. Any dog classified as menacing by breed or type must be desexed within one month of ownership, notice by the Council, or when a puppy has reached 12 months of age. The Council may consider an appeal to desexing a dog if the owner can produce a letter from a veterinarian specifying the medical reasons why the dog cannot be desexed within one month of notification.

14.8. Any owner of a dog classified as menacing by breed or type must follow these additional obligations:

a) ensure the provision of a secure area where unrestricted access to at least one door of the dwelling is possible;

b) ensure that the dog is muzzled in any public place when not confined in a vehicle or cage;

c) the owner is required to notify the Council in writing within seven days of the dog being rehomed, providing the new owner's details and the address where the dog is living.

15. Permit to Keep More than Two Dogs

15.1. No more than two dogs 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 permit to keep three or more dogs; or

b) the premises are zoned Rural, General Rural or Rural Lifestyle in the Council's district plan.

15.2. 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 three or more dogs.

15.3. If the property in which the dog owner resides is leased/rented, the written consent of the property owner is required to keep three or more dogs on that property before any consideration for a permit will be given. A copy of the written consent must provided with any application.

15.4. A permit issued is subject to any conditions that may be set by the Council.

15.5. Any breach of these conditions, or changes in circumstances related to the property, such as subdivision, may result in the permit being reviewed or revoked. Additionally, all dogs must be registered each year; failure to do so will result in the permit being cancelled.

15.6. Applications for permits to keep more than two dogs 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.

15.7. The fee for such permits shall be payable in addition to the registration fees.

16. Impounding of Dogs

16.1. When an Officer sees a dog wandering in a public place, the dog may be impounded in accordance with section 52(3) the Dog Control Act 1996.

17. Offence and Penalty for Breach of Bylaw

17.1. Every person who breaches this bylaw commits an offence and is liable on summary conviction to the penalty.

17.2. Any person convicted of an offence against this bylaw is liable, on conviction, to a fine not exceeding $20,000.

18. Dog Control Fees

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

19. Amendment of Schedules

19.1. That any items contained in the attached schedules to this bylaw may be altered at any time by resolution of the Council and publicly notified.

20. Commencement Of Bylaw

20.1. This bylaw was adopted by the Gore District Council at its meeting held on [date] and ordered to come into effect on [date] 2025.

20.2. The Common Seal of the Gore District Council was hereunto affixed this {date} in the presence of:

Ben Bell
Mayor
[date]

Debbie Lascelles
Chief Executive
[date]

Document History and Version Control Table

Version	Action	Approval Date	Approval Authority	Due for Review
1.0	Creation of original document			
2.0	Review of original document	[date]	Full Council	2035

Schedule A

Designated Dog Exercise Areas

These areas allow dogs to be exercised off leash, although you must carry a leash and have the dog under control at all times. Dogs under control are permitted without a leash unless stated otherwise.

Gore

- River Street flood bank
- Woolwich Street Walnut Plantation
- River Terrace
- Hamilton Park (perimeter only not playing surface)
- Hamilton Park Dog Park

Mataura

- East riverbank (below main bridge)
- South bridge (Henderson Park)
- Mataura Dog Park

Note: Dogs are not permitted in children's playgrounds or on marked sports grounds adjacent to any of these exercise areas, nor on Gore District Council reserves or tracks unless otherwise stated.

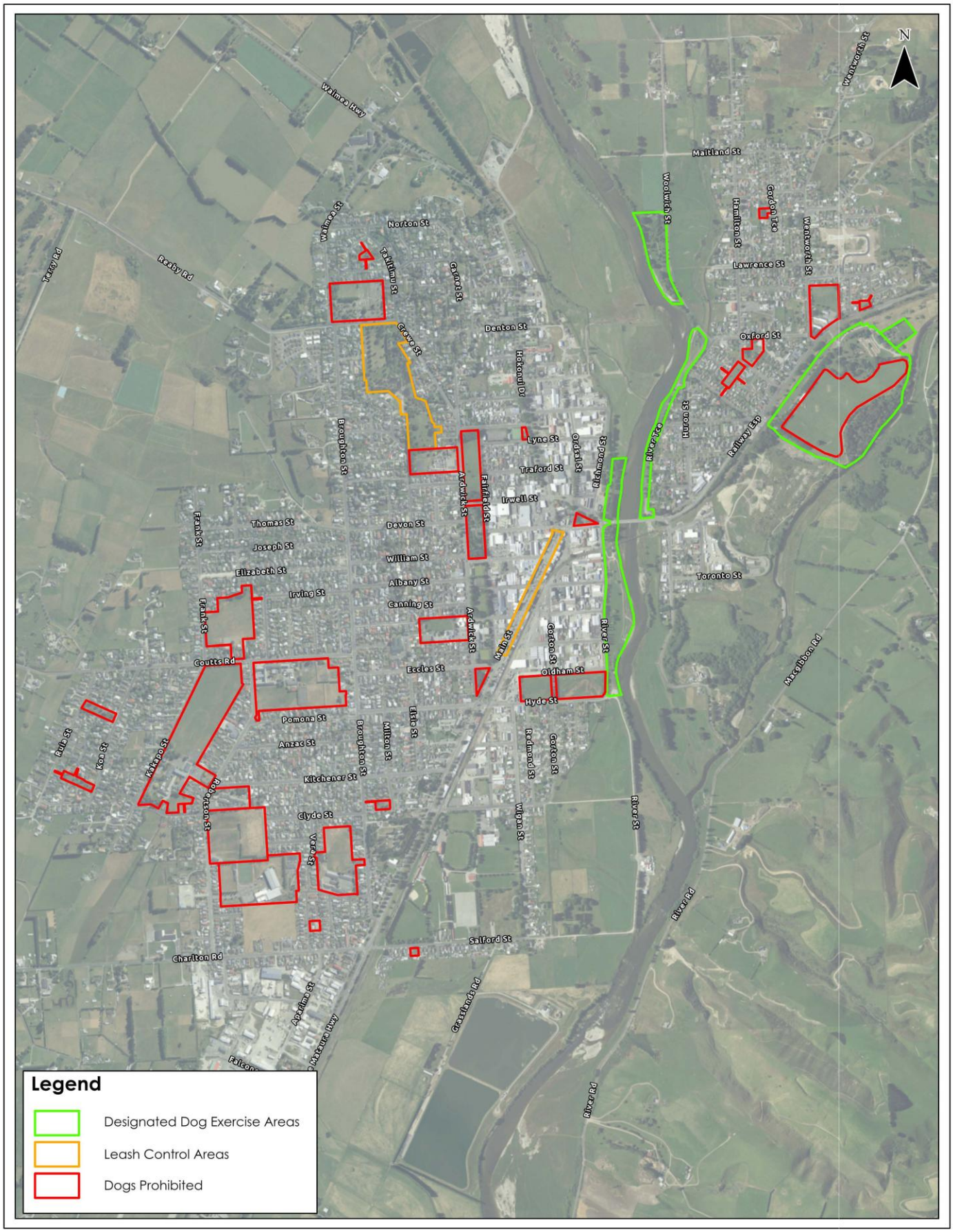
Leash Control Areas

- Main Street, Gore
- Bannerman Park

Areas Where Dogs Are Prohibited

- All playgrounds
- All school grounds
- The designated playing area of all marked sports grounds
- All cemeteries
- Gore Public Gardens
- Ardwick Street Reserve
- Newman Park
- Wayland Park (Gore MultiSport Complex)
- Hyde Park
- Triangle Reserve (Trout)
- Dolamore Park Scenic Reserve
- Tulloch Park

The Council may from time to time make areas temporarily prohibited to dogs because of any potential conflict with people, domestic animals, or at the advice of the Department of Conservation, wildlife. Temporary prohibitions will be notified by signage placed at the points of entry to the areas and by way of public notice on the Council's website.



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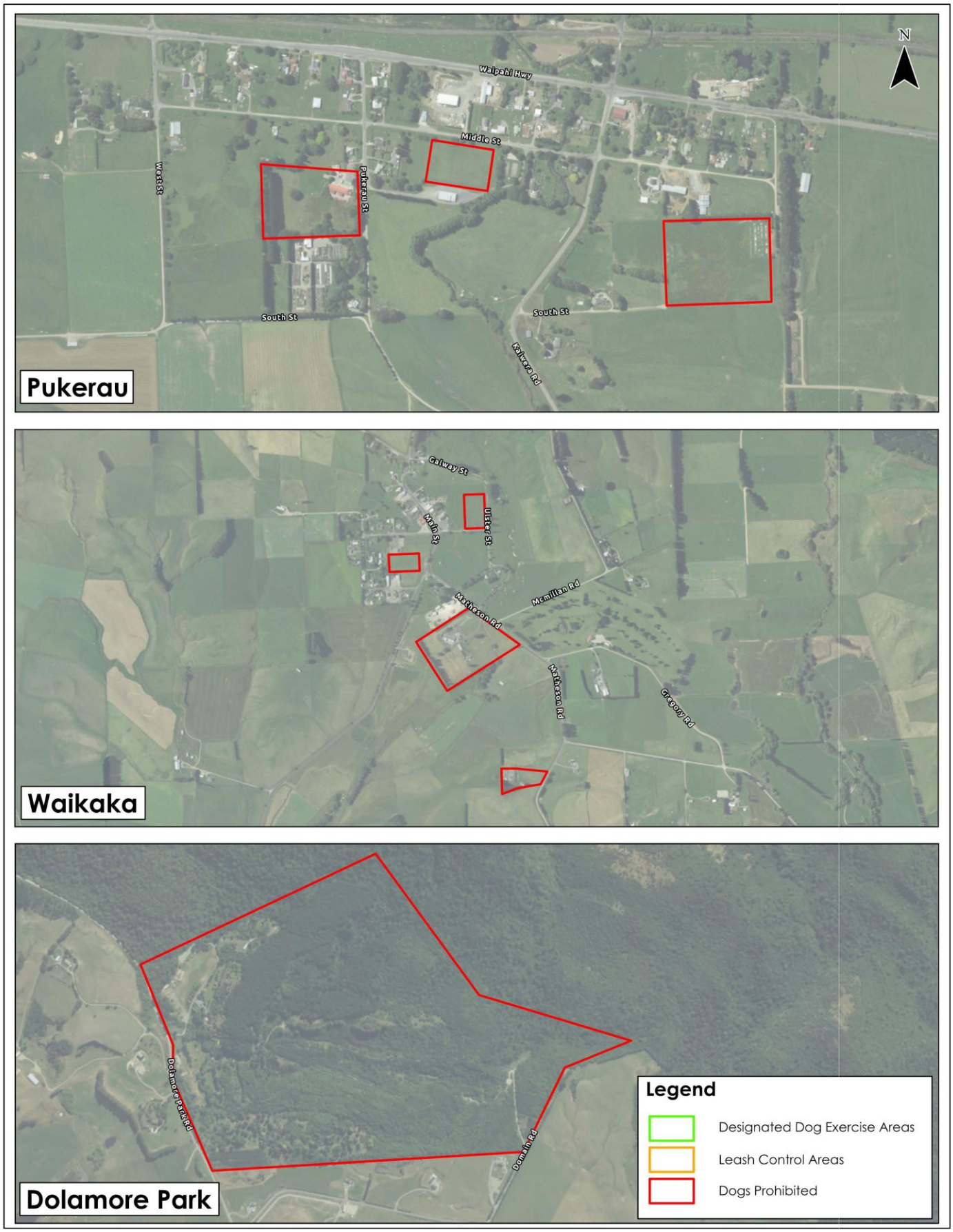


GDC Dog Control Policy
Schedule A - Mataura

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