



BARKING DOG

**COMPLAINT INVESTIGATION
AND ACTION PROTOCOL**

Adopted by Council 17 August 2004

BARKING DOG - COMPLAINT INVESTIGATION AND ACTION PROTOCOL

1. After receipt of an initial complaint either verbally or in writing Council's Rangers shall visit the complainants address to verify the bona fides of the complainant. Once this has been established, the alleged dog owners address shall be visited to establish:
 - i) whether a dog is accommodated on the premises; and
 - ii) whether the dog is registered (this shall be verified by checking Council's computer records or the Companion Animals Act, 1998).
2. The dog owner shall be informed of the complaint and advised of their responsibilities under the Companion Animals Act, 1998.

NB: The complainants details shall be strictly confidential.

3. The initial visits on both the complainant and dog owner shall be reinforced with standard letters. The letter to the complainant confirming action and requesting collaborative information, the letter to the dog owner advising them of their obligations as animal owner and forwarding educational information.

NB: Council will not take further action in the matter unless the complaint is collaborated by at least two (2) other affected parties. Alternately an individual may take civil action with a Chamber Magistrate.

4. Failing collaboration no further Council action will be taken.

NB: Collaboration may not be required if in the opinion of the Manager of Environment Health and Regulatory Control that through age or infirmity or, the circumstances of the case, the obligation to obtain collaboration would be unfair or amount to an unfair burden on the complainant. In such cases, Council Officers will endeavour to obtain collaboration.

5. If collaboration is received from two (2) adjoining parties, Council's Ranger shall issue "Barking Diaries" to the affected parties along with standard complaint forms for completion over a 10 day period. The affected parties will be required to complete and return the forms to Council after the 10 day information recording period.
6. Council's Ranger shall assess the information and statements as submitted by the complainants. If the complaints are adjudged as valid, the Ranger reports to the Manager of Environment Health and Regulatory Control.
7. The Manager of Environment Health and Regulatory Control will instruct under Section 21 of the Companion Animal Act 1998, the Ranger to issue an order on the owner of the animal requiring the owner to take appropriate action to prevent further nuisance. The order must specify the behaviour of the dog (ie. Barking) that is required to be prevented. An order remains in force for six months after it is issued (refer to Appendix A).
8. Upon the receipt of a complaint after the order has taken effect, a Council Ranger will attend the dog kennelled premises and if nuisance is detected an infringement for failing to comply with a nuisance dog order will be issued pursuant to Section 21(5) of the Companion Animals Act 1998.

9. Should the Ranger be unable to personally ascertain a nuisance is occurring, action may be taken, at the discretion of the Manager of Environment Health and Regulatory Control, on sworn statements of two (2) affected parties.