



*By-law made under the Dog and Cat Management Act 1995
and the Local Government Act 1999*

DOGS BY-LAW 2012

By-law No. 5 of 2012

For the management and control of dogs within the Council's area

1. Definitions

In this by-law unless the context otherwise requires:

- 1.1 **Act** means the *Dog and Cat Management Act 1995*;
- 1.2 **approved kennel establishment** means a building, structure or area approved by the relevant authority, pursuant to the *Development Act 1993* for the keeping of dogs on a temporary or permanent basis;
- 1.3 **authorised person** means a person appointed as a dog management officer under Section 27 of the Act and an authorised person under Section 260 of the *Local Government Act 1999*;
- 1.4 **council land** means all parklands, reserves, ornamental grounds, streets, roads, jetties, bridges, foreshore, public places and other land vested in or under the care, control and management of the Council;
- 1.5 **dog** has the same meaning as in the Act;
- 1.6 **effective control** means a person exercising effective control of a dog either:
 - 1.6.1 by means of a physical restraint; or
 - 1.6.2 by command, the dog being in close proximity to the person and the person being able to see the dog at all times;
- 1.7 **premises** means any domestic and non-domestic premises, except a kennel establishment in respect of which a development authorisation is in force under the *Development Act 1993*.

2. Dog Free Areas

A person must not on any Council land to which this paragraph applies cause suffer or permit any dog under that person's control, charge or authority to be, or remain in that place.

3. Dogs On Leash Areas

A person must not on any Council land to which this paragraph applies, cause, suffer or permit any dog under that person's control, charge or authority to be or remain in that public unless such dog is restrained by a strong leash not exceeding 2 metres in length and either tethered securely to a fixed object or held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.

4. Dog Exercise Areas

4.1 Any person may enter upon any part of Council land to which this paragraph applies in accordance with paragraph 6 of this by-law, for the purpose of exercising a dog under his or her effective control;

4.2 Where a person enters upon such part of Council land for that purpose, that person must ensure that the dog or dogs under his or her control remain under effective control while on the land;

4.3 The Council will erect signs to denote the land to which this paragraph applies, and information shall be provided to the public in a manner determined by the Council's Chief Executive Officer to inform the public about such land.

5. Limit on Dog Numbers

5.1 The limit on the number of dogs kept on a premises within a township is two dogs.

5.2 The limit on the number of dogs kept in a premises outside of a township is three dogs, other than working dogs.

5.3 A person must not, without permission, keep any dog on any premises where the number of dogs on the premises exceeds the limit:

5.3.1 unless the premises is an approved kennel establishment; or

5.3.2 the Council, or such person authorised by the Council, has exempted the premises from compliance with this Clause.

6. Orders

6.1 If a person engages in conduct that is in contravention of this by-law, an authorised person may order that person:

6.1.1 if the conduct is still continuing – to stop the conduct; and


6.1.2 whether or not the conduct is still continuing – to take specified action to remedy the contravention.

- 6.2 A person must comply with an order under this clause.
- 6.3 If a person does not comply with an order, the authorised person may take action reasonably required to have the order carried out, and the Council may recover its costs of any action so taken from the person to whom the order was directed.
- 6.4 However, an authorised person may not use force against a person under this clause.

7. Application of Paragraphs

- 7.1 Any of paragraphs 2, 3 and subparagraph 4.1 of this by-law shall apply only in such portion or portions of Council land as the Council may by resolution direct in accordance with Section 246(3)(e) of the Local Government Act, 1999.
- 7.2 The limits prescribed in paragraph 5 of this by-law do not include any dog that is under three (3) months of age.

The foregoing by-law was duly made and passed at a meeting of the Wattle Range Council held on the 10th day of JULY 2012 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.



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Mr F.N. (Frank) Brennan
Chief Executive Officer