

Invercargill City Council

Proposed Bylaw 2015/1 – Dog Control and Proposed Dog Control Policy

STATEMENT OF PROPOSAL – SUMMARY

The Invercargill City Council has developed a proposed Bylaw and Policy to protect and enhance the safety of the public, while providing dogs and their owners with the ability to satisfy their recreational needs. It also seeks to minimise distress and nuisance caused by dogs to the community as far as is practicable through legislative means. The Local Government Act 2002 and Dog Control Act 1996 anticipate councils adopting bylaws and policies to control the ownership and responsibility of dog owners to ensure a reasonable level of public health and safety.

Pursuant to the Local Government Act 2002 a full Statement of Proposal has been prepared. It is available for inspection at the Help Desk of the Invercargill City Council, 101 Esk Street, Invercargill, at the Bluff Service Centre, and at the Invercargill Public Library. Copies are available on loan from the Library.

The Statement of Proposal may also be found on the Invercargill City Council website www.icc.govt.nz.

Submissions are invited on this Proposal. Submissions should clearly indicate if you are addressing the Bylaw or Policy. Submissions must:

1. Be in letter form, clearly showing the submitter's name, address and contact phone number.
2. Be addressed to the undersigned and clearly labelled SUBMISSION – Dog Control Bylaw and Policy.
3. Indicate whether the submitter wishes to be heard by the Council in support of his/her submission. (Note – the substance of the submission should be in writing. Verbal presentations should be restricted to around five minutes.)
4. Be received by 5.00 pm on Friday 8 May 2015.

P M GARE
DIRECTOR OF ENVIRONMENTAL AND PLANNING SERVICES

Proposed Invercargill City Council Bylaw 2015/1 – Dog Control Bylaw and Proposed Dog Control Policy

STATEMENT OF PROPOSAL

1. Introduction

This is Council's Statement of Proposal as provided for by Section 83 of the Local Government Act 2002.

2. Proposed Invercargill City Council Bylaw 2015/1 – (attached)

The primary purpose of the Bylaw is to protect and enhance the safety of the public, while providing dogs and their owners with the ability to satisfy their recreational needs. It also seeks to minimise distress and nuisance caused by dogs to the community as far as is practicable through legislative means.

Is a Bylaw Appropriate?

Bylaws have been a traditional method of addressing issues associated with Dog Control to protect and enhance the safety of the public, while providing dogs and their owners with the ability to satisfy their recreational needs. The Dog Control Act 1996 states that any territorial authority may, in accordance with the Local Government Act 2002, make bylaws for an extensive list of dog issues.

A Bylaw can be enforced through legal means and allows the Council to issue infringement notices and fines when necessary. A Bylaw also works in unison with the Dog Control Policy to help Animal Control officers to enforce rules regarding safety to the public and general responsibilities of dog owners.

What are the implications under the New Zealand Bill of Rights Act 1990?

Council needs to be satisfied that the proposed Bylaw will not be inconsistent with the Act, that is, it imposes reasonable limits that can be reasonably justified in a free and democratic society. Case law suggests that permanent prohibition of certain activities that the community may wish to undertake may impose unreasonable limits, for example prohibiting dogs from all open spaces in the District. Being able to regulate allows Council to make rules which have the intention of preventing or reducing the harm to both animals and members of the public.

Proposed Invercargill City Council Dog Control Policy (attached)

The purpose of the Policy is to outline how the Invercargill Animal Services will fulfil its responsibility under the Dog Control Act 1996. This Policy is a tool for Dog Owners and Animal Control Officers to use to create a mutual understanding of expectations. Dog ownership contributes to people's health and well-being through companionship and the need to regularly exercise dogs. The Policy promotes good dog care and control through the use of education and registration as well as enforcement measures. The policy is also to be used to:

- Help promote responsible dog ownership, dog care and dog welfare.
- To minimise the fear of dogs attacking and intimidating people.

- Identification of places in which dogs are prohibited including areas where children play.
- To minimise danger, distress and nuisance caused by dogs.

3. **Place for Inspection and Obtaining Copies**

The Statement of Proposal may be inspected at the Help Desk of the Invercargill City Council, 101 Esk Street, Invercargill, at the Bluff Service Centre, and at the Invercargill Public Library. The Statement of Proposal may also be found on the Invercargill City Council website www.icc.govt.nz.

4. **Submission Period**

Submissions are invited on the Statement of Proposal. Submissions must be received by Council no later than **5.00 pm on Friday 8 May 2015**.

Submissions should clearly show the submitter's name, address and contact phone number. (Submission forms may be obtained from all Council offices and libraries and on the Council's website www.icc.govt.nz.)

Submissions can be:

Posted to: Invercargill City Council
Submission – Dog Control Bylaw and Policy
Private Bag 90104
INVERCARGILL 9840

Delivered to: Help Desk, Invercargill City Council, 101 Esk Street, Invercargill

Faxed to: 03 211 1433

E-mailed to: policy@icc.govt.nz