

# LIMITS ON DOG NUMBERS POLICY (under Section 6 of By Law 5 – Dogs)



| COUNCIL POLICY  |  |
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| Reference Number  | 834215   |
| Responsible Business Unit                               | Development & Regulation   |
| Responsible Officer                                     | General Manager Sustainable Communities  |
| Legislation   | Local Government Act 1999  |
| Relevant Delegations                                    | General Manager – Sustainable Communities<br>Manager – Development & Regulation<br>Team Leader – Regulation<br>Compliance Officers (Authorised Officers) |
| Related Policies<br>Management Guidelines<br>Frameworks | By Law 5 - Dogs  |
| Link to Strategic Plan                                  | Objective 2.2 - Care for the Community   |
| Council resolution                                      | 233.3  |
| Date Adopted  | 12 December 2016   |
| Review Date   | 2020   |
| Previous Revisions                                      | Nil  |

## POLICY STATEMENT

This policy sets out the Council's approach to the processes and standards to be applied with regards to applications to keep more than one dog at a single dwelling, as required under By Law 5.

## OBJECTIVES

To provide clear guidance for Authorised Officers and the public as to the process and requirements for permits sought in regard to the keeping of more than one dog as set out in Part 2 – Section 6 of By Law 5 – Dogs.

To provide the opportunity for residents to keep more dogs than permitted under By -Law No. 5 – Dogs, whilst maintaining the amenity of the area.

## SCOPE

This policy applies to permit application received to keep more than the limit on dog numbers as defined under By-Law No. 5 Dogs. When determining dog numbers, only dogs which must be registered, as required under the Dog and Cat Management Act 1995 will be counted.

## PRINCIPLES

To effectively monitor and control the number of dogs on properties within the Rural City of Murray Bridge, using a consistent approach for the benefit of the community.

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## IMPLEMENTATION

1. That Council staff enforce By-Law No. 5 Dogs and the provisions of the Dog and Cat Policy.
2. That Council staff enforce By-Law No. 5 – Part 2-Limits on dog numbers on private premises.
3. That Council fixes fees as adopted in Council's Schedule of Fees and Charges.
4. On receipt of an application, an Authorised Officer will undertake an inspection of the subject premises. The purpose of the inspection is to educate the applicant about responsible dog ownership and to determine the suitability of the premises to contain more than one dog and to ensure the amenity of the area. The Council may also make contact with adjoining neighbours to ascertain their position on the matter.

Permits will generally be issued in accordance with the following

**Small Dwelling** – will be suitable for no more than one dog;

**Medium Dwelling** – will be suitable for no more than two dogs; and

**Large Dwelling** – may be suitable for more than 2 dogs at the discretion of the Authorised Officer.

A permit may be issued if the dogs are suitable and are assessed as have an acceptable impact on the amenity of the area, in the opinion of an *Authorised Officer*. A permit of exemption to By Law 5 may be issued on advice of Authorised Officers, the Team Leader – Regulation or the Manager – Development & Regulation.

5. Where a permit of exemption is issued it will be subject to the following conditions:
  - 5.1 The property at which the dogs are kept is to be maintained in a sanitary condition at all times;
  - 5.2 The dogs must not become a nuisance to other residents or the general public;
  - 5.3 Registration of dogs must be maintained at all times;
  - 5.4 That the Rural City of Murray Bridge be notified within 10 working days if the permit holder or dog(s) move; and
  - 5.5 The Rural City of Murray Bridge may at any time vary or revoke this permit in accordance with By-Law 1 - Permits, Offences, Penalties And Repeal.
6. Permit holders who are permitted to keep more than the prescribed number of dogs and with a permit issued after 1<sup>st</sup> January 2017 need not reapply for exemption, for the duration of the life of the dogs on the permit.
7. Where a permit holder or dog/s move premises an application to vary the permit is required and may further require an additional inspection by an Authorised Officer.
8. Where in the opinion of the Team Leader – Regulation or the Manager – Development and Regulation a permit application should be refused or a permit be revoked, a right of review will be offered to the applicant with respect to the matter, which will be undertaken by the General Manager – Sustainable Communities.

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## DEFINITIONS

**Authorised Officer** is an officer appointed pursuant to *Part 3-Division 1 – Authorised Persons* of the *Dog and Cat Management (Miscellaneous) Amendment Act 2016*.

**Small Dwelling** is comprised of a residential flat or strata unit on land less than 400m<sup>2</sup> and without a secure yard of at least 100m<sup>2</sup>, which will be suitable for no more than one dog.

**Medium Dwelling** is comprised of house and land up between 401m<sup>2</sup> and 800m<sup>2</sup> and with a yard in excess of 101m<sup>2</sup> will be suitable for no more than two dogs.

**Large Dwelling** is comprised of house and land in excess of 801m<sup>2</sup> and with a yard in excess of 101m<sup>2</sup> may be suitable for more than 2 dogs at the discretion of the Authorised Officer.