



Barking dogs

All dogs bark – it is part of their natural communication, but sometimes dogs that are barking persistently can become a nuisance to neighbours.

Dogs bark to express a variety of emotions: anxiety, boredom, territorial or dominance aggression, playfulness, or hunger. Certain conditions in a dog's environment can trigger these emotions, and barking is often the first behavioural response.

Section 55 of the Dog Control Act 1996 requires owners to ensure that their dogs do not cause a nuisance by persistent and loud barking or howling. Managing or preventing nuisance barking is a part of every dog owner's responsibility. However, dogs often bark when their owners are not home, so the owners may not be aware there is a problem.

Many dog owners appreciate being made aware of the barking. Approaching the dog's owner in a friendly manner, and discussing your concerns with them, can sometimes easily resolve this type of complaint.

If you do not feel comfortable talking to the owner, you could leave a letter in their mailbox.

An example of a letter that you could use is enclosed in this pack. You would need to complete it and could leave it in their mailbox. You may also include the enclosed brochure titled "Barking Dogs", which has some advice on how to reduce barking.

***Note:** Please do not copy the Auckland Council logo onto this letter, as it is not sent from Auckland Council – this is just an example of a letter you could use to deal with your neighbour directly.*

Initial resolution of complaint

On receipt of your complaint, a Barking Complaints Advisor (BCA) from the Auckland Council Animal Management team will contact you if further information is needed.

Essential information that is needed by the BCA would be the time of day that the dog is barking and the pattern of the barking. The address where the dog lives and a description of the dog is also important, so that the BCA can ensure they contact the correct dog owner. Your personal details will be kept confidential.

The BCA will contact the dog owner to inform them of the complaint and their responsibility to ensure that their dog's barking does not cause a noise nuisance. They will try to determine the reason the dog is barking and will offer practical solutions to the owner to reduce the barking.

After approximately one week, the BCA will contact you to see if there has been any improvement. If you are satisfied with the outcome, the file will be closed.

If the dog is still barking excessively, the BCA will again contact the dog owner to provide support and advice. The owner will be given one more week to put measures in place to minimise the dog's barking.

At this stage, the owner will also be warned that a nuisance abatement notice (NAN) may be issued if further complaints about the barking are received by Auckland Council, and your original complaint will be closed.

Statements

If the barking continues, you will need to phone Auckland Council Call Centre on 09 301 0101 again and make a new complaint. Your new complaint may be actioned by a different person in our team than your original complaint.

It is important that you keep record of the dates, times, and duration of the barking.

A Barking Complaints Investigator (BCI) will ask you to make a written statement in which you could explain how the persistent and loud barking of the dog is causing a nuisance or distress to you.

This statement will be used to issue a NAN to the dog owner. Once this notice is served on the dog owner and they fail to abate the nuisance, they are committing an offence and legal action may be taken against them.

Should the case go to court, you may be required to testify about your observations as mentioned in your statement. Your identity must be disclosed at this stage.

Nuisance abatement notices (NAN)

Dog owners commit an offence if they fail to comply with a nuisance abatement notice within 7 days from the date it was issued to them.

This means that if the dog continues to cause a nuisance by its loud and persistent barking during these 7 days, you may phone Auckland Council Call Centre on **301 0101** and lodge a further complaint.

First abatement notice

An Animal Management Officer (AMO) will be dispatched to the dog owner's property and may, upon hearing the barking, issue an infringement notice of \$200 to the dog owner.

If the AMO does not hear the barking, you may be asked to make a written statement about the barking and the officer may then issue the infringement notice on receipt of your statement.

Second abatement notice

If the dog's barking is loud and persistent again outside these 7 days, you can lodge a further complaint by phoning the Auckland Council Call Centre. An AMO will be dispatched to the dog owner's property and may, upon hearing the barking, serve a second NAN on the dog owner.

If the officer does not hear the barking, you may be asked to make a written statement about the barking. The officer may then issue and serve a second NAN on receipt of your statement.

If the dog owner fails to comply with this second NAN and the dog's barking continues to create a nuisance within the 7 days, the same process will be followed as described in the section '**First abatement notice**' above.

In this instance, the officer may also impound the dog. The dog will not be released to its owner until Auckland Council is satisfied that the nuisance will not continue after its release.

Third abatement notice

If the dog's barking is loud and persistent again outside these 7 days, you can lodge another complaint by phoning the Auckland Council Call Centre.

An AMO will be dispatched to the dog owner's property and may, upon hearing the barking, serve a third NAN on the dog owner. If the officer does not hear the barking, you may be asked to make a written statement about the barking. The officer may then issue and serve a third NAN on receipt of your statement.

If the dog owner fails to comply with this third NAN and the dog's barking continues to create a nuisance within the 7 days, then the same process will be followed as described in the section '**Second abatement notice**' above. In this instance, instead of issuing an infringement notice, the dog owner may be prosecuted and summoned to appear in court.

If the dog owner is convicted, a fine of up to \$1500 may be imposed by the court.

Summary

The reason the above process involves three separate NANs to be issued on the dog owner is due to Auckland Council's graduated enforcement approach.

Behavioural issues with dogs can take some time to correct, and it is much more productive for the council to work with the dog owner, than to apply the maximum level of enforcement at the beginning of the process. With the majority of barking issues, educating the dog owner about their obligations and the ways in which they can improve the situation has far better results than using legal action.

Contact Auckland Council Animal Management on **09 301 0101** anytime to report barking from a dog that has reached a nuisance level.



Dear Dog Owner

You may not be aware that your dog is barking constantly when you are not home.

I am contacting you, as the first step, to raise my concern and ask you to please make some changes to fix this situation.

Generally, your dog has barked during the following days and times:

This appears to happen when:

Other information:

Included is some information available from Auckland Council, which may help identify why your dog is barking so much, and some practical solutions to help reduce the barking.

For more detailed information and tips that may help reduce the barking, you can visit:

<http://www.aucklandcouncil.govt.nz/EN/licencesregulations/dogsandanimals/caringforyourdog/Pages/barkingprevention.aspx>

Please assist us by working with your dog to reduce the barking.

Thank you.