

Barking Dogs

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

According to Section 55 of the Dog Control Act 1996, dog owners must ensure that their dogs do not create a nuisance by loud and persistent barking or howling.

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

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 that there is a problem. Leaving a friendly, anonymous note in their letterbox can sometimes resolve this.

As you may know, dogs are part of their owner's family, and we have therefore adopted a graduated enforcement process, focusing strongly on education. The complaints you make will follow on from each other, so the process does not start again from the beginning each time you make another complaint. If we have not received any complaints over a 6-month period, your new complaint will be reviewed to establish the correct action to take.

Please be assured that your personal details will be kept confidential.

The Process for a Barking Complaint – Barking Advisor (BA)

- A Barking Advisor (BA) will contact the dog owner by telephone, email and/or post and inform them of the complaint and advise them of their responsibilities. The BA will look at barking patterns and attempt to determine the reason the dog may be barking excessively. They will then offer advice and solutions to the dog owner to help reduce the reported barking nuisance.
- A BA will contact you after 7-10 days to see if the barking has reduced, and if it has, the complaint will be closed.
- If the dog is still barking excessively, a BA will contact the dog owner again and issue a formal warning letter.
- Once the formal warning letter has been sent, the dog owner will have a further 7-10 days to reduce the barking.
- If we receive another complaint at this point, we will contact the dog owner to arrange a property inspection.

- If the property is inspected, and the reasons for the barking are established, a 'Letter of Recommendation' will be sent to the dog owner. You will be contacted and updated.
- The dog owner will be given 7-10 days to reduce the barking.
- If the barking is still excessive after 7-10 days a Nuisance Abatement Notice may be issued. We will then require as much information as possible regarding dates, times, and duration of the dog's barking.
- The BA will contact you for this information and may ask to record a statement from you as evidence for enforcement action. The statement needs to confirm that the dog is causing a nuisance or distress with its loud and persistent barking or howling. This statement may then be used as evidence in court, and you could be asked to attend court.
- If the BA is satisfied that a nuisance or distress is being caused, a '**Nuisance Abatement Notice**' (**NAN**) will be served on the dog owner. You will be updated about this action. The dog owner has seven days from the date of the notice to object or comply with the NAN.
- During this 7-day period, no repeat complaints for the same issue can be actioned.

The Nuisance Abatement Notice Process for a Barking Complaint

- After the 7-day compliance / objection period, if no objection was received, the NAN will remain valid for 6 months. If there is any excessive barking during this time that causes a nuisance or distress, please make another complaint with the Auckland Council Call Centre (09 301 0101).
- An Animal Management Officer (AMO) will be dispatched to the property to check on the dog owner's compliance with the conditions of the NAN, and may, if discovering a breach of the conditions, issue an infringement notice of \$200 to the dog owner.
- If the AMO does not discover a breach, they will need to record a statement from you. This statement must describe the nuisance or distress the barking is causing you and will need to confirm a breach of the conditions of the NAN. The AMO may then issue an infringement notice of \$200 to the dog owner.
- If any further complaints are received, an AMO will be dispatched to the property to check on the dog owner's compliance with the conditions of the NAN, and if the officer discovers a breach of the conditions, the dog may be impounded.

- If the AMO does not discover a breach, they will need to record a statement from you. This statement must describe the distress the barking is causing you and will need to confirm a breach of the conditions of the NAN. The AMO may then impound the dog.
- Once the dog is impounded, the dog owner will need to apply to the council for the release of the dog. The dog owner will need to show how they are going to comply with the conditions of the NAN before the dog will be released.
- If the dog returns home and another breach is discovered, the dog may be impounded again, and may be held in the shelter for a possible prosecution of the dog owner.

If you need any further information or advice, please contact your Barking Advisor.