

 <p>City of Mount Gambier</p>	<p><b>A515 - ANIMAL CONTROL - DOGS</b></p>	Version No:	4
		Issued:	August 2023
		Next Review:	August 2027

## 1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier (“Council”) regarding problem dogs, undertaking inspections for unregistered dogs, the seizure of dogs and dogs wandering at large.

## 2. PROBLEM DOGS

(a) It is the Policy of Council that:

1. The owners of problem dogs be encouraged to have them destroyed voluntarily;
2. Where a problem dog that is impounded, is not subsequently claimed by the owner and is then destroyed, all outstanding monies due to Council in respect of that dog will be written off.

## 3. HOUSE INSPECTIONS

House to house inspections for unregistered dogs will be undertaken when required.

## 4. SEIZURE OF DOGS

(a) Where an Authorised Person, appointed pursuant to the provisions of the Dog and Cat Management Act, 1995 is unable to seize a dog by reason of the savagery of that dog, the Dog Management Officer may request the services of a Police Officer to assist with the destruction and/or apprehension of the dog (Refer Section 60 of the Dog and Cat Management Act 1995).

(Note: Police Officers are Authorised Persons pursuant to the Dog and Cat Management Act 1995).

(b) Where an Authorised Person is unable to seize a dog by reason of repeated evasion of the attempts at seizure, the officer be empowered to use a tranquilliser blow gun to seize the dog (Refer Section 60 of the Dog and Cat Management Act 1995).

(c) An Authorised Person may, pursuant to Section 61 of the Dog and Cat Management Act, 1995 seize and detain a dog and commence the required legal proceedings to have the dog destroyed/controlled (as appropriate) in the following circumstances:

1. The dog has attacked a person or animal and caused actual bodily harm and there is sufficient evidence to institute legal proceedings, or
2. A dangerous dog is the subject of an existing control order issued pursuant to the provisions of Section 50 of the Dog and Cat Management Act 1995 and the dog is found wandering at large in breach of that order.

(d) Where a dog has harassed a person or animal and no bodily harm has resulted, the officer should evaluate the circumstances as whether to seize and detain the dog pursuant to the provisions of Section 60 of the Act, with a view to obtaining a destruction order under Section 59 of the Act.

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- (e) Prosecution may be commenced pursuant to the provisions of Sections 47 and 50 of the Dog and Cat Management Act 1995.
- (f) Authorisation of 4 (d) and (e) may be given by the Chief Executive Officer or the General Manager Corporate and Regulatory Services without reference to Council.

## 5. WANDERING AT LARGE

- (a) Where a dog is found wandering at large and is impounded, an expiation notice for wandering at large will be issued and where two (2) or more dogs belonging to the one owner are impounded at the same time, such notice be issued for each dog. Additional expiation fee notices will be issued for each of the following offences for each dog, if appropriate, provided that not more than three (3) expiation notices be issued in respect of each dog:
  1. Unregistered;
  2. Not wearing collar/registration disc/owners name and address as applicable; and
  3. a total of not more than three (3) expiation notices be issued for any one incident.
  4. Dogs must be microchipped.
- (b) Where a dog or dogs is/are found wandering at large but are not impounded, expiation fee notices be issued on the same basis as paragraph (a) if the owner is known or can be ascertained. Provided that a Dog Management Officer may issue a warning (except for being unregistered) at their discretion in the following circumstances:
  1. The dog was in the immediate vicinity of the owners premises;
  2. There are no known previous warnings issued, and
  3. The dog/s have not been the subject of complaints in respect of problems associated with them wandering at large.

## 6. ISSUING OF WARNINGS

The Authorised Person may issue warnings for offences under the Dog and Cat Management Act.

## 7. REVIEW & EVALUATION

This Policy is scheduled for review by Council in August 2027; however, will be reviewed as required by any legislative changes which may occur.

## 8. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council's principal office during ordinary business hours and on the Council's website [www.mountgambier.sa.gov.au](http://www.mountgambier.sa.gov.au). Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

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File Reference:	AF18/48
Applicable Legislation:	Dog & Cat Management Act 1995
Reference: Community Plan	Goal 2: Our Location
Related Policies:	
Related Procedures:	
Related Documents:	Council By-Laws

#### DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
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Effective date:	15 August 2023
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First Adopted By Council:	17 <sup>th</sup> February, 2015
Reviewed/Amended:	16 <sup>th</sup> May, 2017; 20 <sup>th</sup> February, 2018, 15 August 2023