

BARKING DOG

Lodging a Complaint with Council

INTRODUCTION

Dogs are an important part of our local communities but dogs that bark excessively can become a source of irritation for neighbour's and others using the local environment. Man's best friend can become, if it barks continually, an intrusion and create friction between neighbours.

Warrumbungle Shire Council receives numerous complaints regarding nuisance noise from barking dogs. This type of complaint is generally easily solved by approaching the dog's owner in a neighbourly manner and discussing your concerns with them. The dog's owner may not realise that the barking is causing an annoyance to other people

- The dog may only bark excessively when the owner is not home.
- The owner may not hear the barking from various areas within the house.
- The owner may be a very sound sleeper and not be woken when the dog barks.

REASONS WHY DOGS BARK

Dogs bark for many reasons, and even though they "appear to be barking for no reason" they are in fact trying to communicate something to their owner or any one who is willing to pay attention. The following list provides some of the main reasons why dogs bark.

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|-----------------------------------|---------------------------------------|
| • Lack of exercise | • Provocation |
| • Inadequate yard space | • Disturbances |
| • Boredom | • Change to family structure |
| • Not enough human companionship | • Change to territory |
| • Inadequate shelter from weather | • Movement outside the dog's property |
| • Hungry or thirsty | |
| • Medical condition | |

Dogs also bark to alert their owners of trouble such as an intruder entering the property or perhaps fire. Remember, a dog's idea of an 'Intruder' may differ to that of the owner, it could include cats, possums, other dogs, or even birds flying across the property as 'intruders'. While it is acceptable for a dog to bark to warn its owner of an intruder, it is the owner's responsibility to train the dog not to bark at 'normal' occurrences such as possums, cats, birds etc. Barking at normal movement/noises from adjoining properties should be considered to be unacceptable behaviour.

NEIGHBOURHOOD COMMUNICATION

Neighbours can help each other to solve barking problems by communicating with each other their concerns and needs. Neighbours can assist in identifying the reasons for excessive barking by noting what is happening in the district when the dog is barking. A neighbour may be in the position to offer to exercise a dog when its owner is unable due to work commitments, illness or other reasons.

In most cases the answers and solutions can be found between neighbours and should be sought prior to lodging a complaint with the Council.

LODGING A COMPLAINT WITH COUNCIL

Complainants must attempt to resolve the complaint with the dog owner by using the methods outlined earlier. (Talk with the neighbour/owner of the nuisance dog) – If that does not work, then there is a process to be followed before Council can act effectively to deal with the nuisance.

The procedure for lodging a nuisance noise complaint is as follows:

1. Identify the correct address of the offending dog.
2. Complete the "Barking Dog Complaint" Form.
3. Keep a diary of the dog's barking habits for a period of at least one (1) month, noting the date, time and duration of barking, and the reason, if known, as well as the effect the dog's barking is having on you .
4. Forward the completed Barking Dog Complaint form and barking diary.
5. Continue to keep the diary of the dog's barking habits for a further month. This will monitor whether the problem continues or improves as a result of any action taken.

ACTIONS TO BE TAKEN BY COUNCIL

Council will, upon receipt of your complaint:

- Appoint an Officer to investigate your complaint. (Usually the Council Ranger)
- Study the diary for barking patterns to determine the reason for the dog's barking.
- Identify whether other residents are being affected by the dog's barking.
- Advise the dog owner of the complaint, discuss possible solutions and inform them of their responsibilities, the offences and penalties.

The Council can issue any or all of the following:

- Verbal warning to dog owner.
- Written letter of warning.
- Issue an Order to abate all nuisance noise immediately.

Should the dog owner fail to comply with the notice to abate the nuisance, Council may issue an infringement notice against the owner. If the noise complaint persists after an infringement notice has been issued, Council may proceed with legal action against the dog owner in the Local rates' Court and seek a Court Order. **NOTE: An infringement notice or legal action will not be taken against the dog owner unless the complainant is prepared to give testimony in the Local Court.**

BARKING DOG COMPLAINT FORM

I, _____
(Your Name)

of _____
(Your Address)

Phone (Home) _____ (Business) _____

State that a dog/s, which I believe to be a _____
(Colour and Breed of Dog/s)

and is kept at _____
(Address where dog is kept)

has created an unreasonable noise as detailed in the diary returned herewith. Having made a complaint about the barking dog at the above address and having spoken to the owner / occupier of the above premises, I hereby request the Warrumbungle Shire Council to institute proceedings if the barking does not stop, and I will undertake to:

(a) give full information to the Council as to this matter; and to

(b) appear in Court to give evidence as a witness to the truth and validity of this complaint.

SIGNED: _____

DATED : _____

Privacy Statement: Council is collecting the personal information on this form for the purpose of gathering information applicable to this complaint. The information will be used for actioning the complaint and will not be disclosed to any other party except as required by law. If you fail to provide this information, no action can be taken in regards to this complaint. You may access this information by contacting Council on 02 6849 2000.

Add extra pages if required.

SECOND NEIGHBOUR BARKING DOG COMPLAINT FORM

I, _____
(Your Name)

of _____
(Your Address)

Phone (Home) _____ (Business) _____

State that a dog/s, which I believe to be a _____
(Colour and Breed of Dog/s)

and is kept at _____
(Address where dog is kept)

has created an unreasonable noise as detailed in the diary returned herewith. Having made a complaint about the barking dog at the above address and having spoken to the owner / occupier of the above premises, I hereby request the _____ Council to institute proceedings if the barking does not stop, and I will undertake to:

(a) give full information to the Council as to this matter; and to

(b) appear in Court to give evidence as a witness to the truth and validity of this complaint.

SIGNED: _____

DATED : _____

Privacy Statement: Council is collecting the personal information on this form for the purpose of gathering information applicable to this complaint. The information will be used for actioning the complaint and will not be disclosed to any other party except as required by law. If you fail to provide this information, no action can be taken in regards to this complaint. You may access this information by contacting Council on 02 6849 2000.

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