



DEALING WITH A BARKING DOG

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Introduction

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

Glamorgan Spring Bay Council receives numerous complaints regarding nuisance noise from barking dogs. Approaching the dog's owner in a neighbourly manner and discussing your concerns with them sometimes easily resolves this type of complaint.

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 woken when the dog barks.

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 anyone who is willing to pay attention.

The following are some of the main reasons why dogs bark:

- lack of exercise.
- showing that they are frightened, excited, or lonely.
- Boredom.
- not enough human companionship.
- hunger or thirst.
- a medical condition.
- inadequate yard space.
- inadequate shelter from weather conditions.
- Provocation.
- Disturbances.
- changes to family structure.
- movement outside the dog's property.

Of course, dogs also bark to alert their owners of trouble, such as an intruder entering the property or perhaps a 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.

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, or birds.

Barking at normal movements or noises from adjoining properties should be considered to be unacceptable behaviour.

Neighbourhood Communication

Neighbours can help each other to solve barking problems by communicating to each other their concerns and needs. Neighbours can assist by identifying the reasons for excessive barking and noting what is happening in the area when the dog is barking.

A neighbour may be in a position to offer to exercise a dog when its owner is unable due to work commitments, illness or other reasons. Approach your neighbour and offer this service. It will also help build your relationship with the dog.

Don't forget, the owner of the offending dog may not know the animal is causing a nuisance.

Try the following steps to attempt to resolve the issue in a neighbourly manner:

1. Approach the dog's owner when the problem arises and state your case clearly and politely. He or she may not be aware of the barking situation. Provide the dog owner or keeper with a copy of the diary contained in this brochure.

If the dog owner is unapproachable or you are not comfortable approaching them, try placing the 'Dear Neighbour' letter contained on page 14 of this booklet into their letterbox.

2. If the neighbour takes no action or does not agree that a problem exists, you should contact the Council.

In most cases the solution can be found by communication between neighbours and should be sought prior to lodging a complaint with your Council.

Lodging a complaint with Council

To lodge a complaint with Council you must first show that YOU have spoken with your neighbour and have tried to resolve the problem with them.

Then you can start the procedure for lodging a barking dog complaint as follows:

- identify the correct address of the offending dog.
- complete the 'Barking Dog Complaint form' in the center of this booklet.
- keep a diary of the dog's barking habits for a period of two (2) weeks, noting the date, time, weather conditions and duration of barking, and the reason as well as the effect the dog's barking is having on you.
- forward to Council the Barking Dog Complaint form and your completed fourteen (14) day diary signed by you and one other neighbour who is also affected by the barking, together Council's *Dog Nuisance Complaint Fee* in accordance with Council's approved Fees & Charges and in accordance with Section 47(2)(b) of the *Dog Control Act 2000*, this fee is refunded upon confirmation of the complaint.
- 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.

Council Action

Council currently spends large amounts of time associated with the problems caused by nuisance dogs and in particular the issue of excessive barking. The Council's preferred option is to consult with both the complainant and the dog owner addressing the issues why the dog is barking and offering advice and Council resources. Resolving the issues quickly will avoid lengthy legal proceedings which are costly and time-consuming. The most important issue is for the owner to be made aware of the nuisance and to be advised as to the best methods available to alleviate the issue.

Council will appoint an Animal Control Officer who will:

- Study the diary to establish barking patterns to try to determine the reason for the dog's barking.
- Confirm that other nominated 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.

If the Officer believes there is a problem with the dog, the Officer will work with the owner until they believe that the owner has done everything possible to help correct the barking behaviour. The following procedure is followed:

First Stage

A letter of warning is sent to the owner indicating the nature of the complaint and their responsibilities under the *Dog Control Act 2000*. The dog owner is asked to contact Council to further discuss the matter and strategies may be discussed to reduce or minimise the nuisance.

Second Stage

The owner of the dog is given a reasonable amount of time, normally two weeks to address the nuisance and if requested an Authorised Officer may inspect the property and offer advice to overcome the problem such as the use of an anti bark collar or other methods. The aim of the discussion is to reach an agreement acceptable to both the complainant and the dog owner without the need for legal action.

Third Stage

If no attempt has been made by the dog owner to alleviate the problem or no contact made with Council Officers, the complainant is requested to complete the appropriate form in accordance with *Section 47(2)(a)* of the *Dog Control Act 2000*. The person is required to pay a fee that will be refunded if their complaint has substance. When submitted, Council Officers will investigate the complaint by speaking to neighbours in the vicinity and inspecting the offending property at various times to assess if the dog is considered a nuisance. If the complaint is found to be genuine the Council may institute proceedings for an offence under *Section 46* of the *Dog Control Act 2000*.

The owner or person in charge of a dog must not permit the dog to be, become or create a nuisance.

A dog is a nuisance if:

- (a) It behaves in a manner that is injurious or dangerous to the health of any person; or
- (b) it creates a noise, by barking or otherwise, that persistently occurs or continues to such an extent that it unreasonably interferes with the peace, comfort or convenience of any person in any premises or public place.

How to complete a barking dog diary

Accuracy in recording the nuisance barking is of extreme importance as it may be presented as evidence in court of law. Creating a detailed diary over a two-week period will be required as per the example indicated below and attached to the diary with the complaint form.

Example diary entries

Date	Time barking started	Time barking stopped	Barking for how long?	Reason for barking (for example, person walking past, weather, another animal, vehicle)
11/02/05	3:00 pm	3:02 pm	4 barks	Nobody in street
11/02/05	3:10 pm	3:13 pm	8 barks	Man walking dog
11/02/05	3:18 pm	3:18 pm	2 barks	Nobody in street
11/02/05	3:28 pm	3:30 pm	16+ barks	Children in street
11/02/05	3:33 pm	3:33 pm	3 barks	Nobody in street
11/02/05	3:45 pm	3:47 pm	6 barks	Car passing by
11/02/05	3:52 pm	3:52 pm	2 barks	Nobody in street
11/02/05	3:58 pm	4:03 pm	16+ barks	Cat on fence
11/02/05	5:22 pm	5:24 pm	10+ barks	Neighbour returned home

This may seem excessive; however, the person making the complaint may be required to present this diary before a Magistrate as accurate and concise evidence.

Forward your completed Barking Dog Complaint form, diary and payment to:

The General Manager
Glamorgan Spring Bay Council,
PO Box 6,
TRIABUNNA TAS 7190

Or email to:

admin@freycinet.tas.gov.au

Barking Dog Complaint Form

This document and the log sheet must be completed in full, signed and returned to Glamorgan Spring Bay Council within seven days of completion.

(PLEASE PRINT ALL DETAILS)

Complainant's Name			
Address			
Contact Phone	<i>(home)</i>	<i>(Business)</i>	<i>(Mobile)</i>
Address of Offending Dog			
Description of Dog/s	<i>(Colour and Breed of Dog/s)</i>		

Have you verified where the barking is coming from? YES/NO

Have you seen the dog/s barking? YES/NO

Have you spoken to the neighbours about this problem? YES/NO

Are you prepared to have the matter mediated? YES/NO

Have any of your neighbours mentioned this problem to you? YES/NO

If YES, are they prepared to support your claim? YES/NO

If YES, please supply their name and address and contact details below:

Witness 1 Name			
Address			
Contact Phone	<i>(home)</i>	<i>(Business)</i>	<i>(Mobile)</i>

Witness 2 Name			
Address			
Contact Phone	<i>(home)</i>	<i>(Business)</i>	<i>(Mobile)</i>

I, the undersigned, wish to lodge a formal complaint with the Glamorgan Spring Bay Council in relation to the dog/s described above which bark persistently to such a degree that it unreasonably interferes with my (peace), (comfort) or (convenience) in my premises. (Please strike out items not applicable in brackets)

.....

Signature of complainant:

.....

Date:

Privacy statement:

The 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 investigating the complaint and will not be disclosed to any other party except as required by law.

If you fail to provide the information, no action can be taken regarding this complaint.

Forward your completed form, diary and payment to:

The General Manager
 Glamorgan Spring Bay Council,
 PO Box 6,
 TRIABUNNA TAS 7190

Or email to:

admin@freycinet.tas.gov.au

Dear neighbour letter (Example)

Dear neighbour

You may not be aware, but your dog is currently causing a noise nuisance in the neighbourhood by barking.

I have discussed this problem with the Glamorgan Spring Bay Council which has suggested that as a first step, I express my concern to you, to allow you the opportunity to rectify the situation without recording an official complaint against you on Council's file.

On the back of this letter is some information that may be of assistance to you in resolving the problem.

Your co-operation at this stage is all that is needed to avoid this matter progressing any further.

Your neighbour,

Some simple tips for reducing barking.

- Make sure that you do not reward your dog for barking too much.
- Don't let the dog inside or give it attention when it barks. Instead, reward your dog and give it attention when it is quiet.
- If the dog is barking at people or noises on the other side of a fence, move the dog to another part of the yard, or put up a barrier to keep the dog away from that area.
- If the dog is barking through gaps and cracks in the fence, fill them in.
- If the dog is barking at people, it can see passing by, try blocking the dog's view.
- If the dog barks at regular disturbances such as children walking to school or rubbish trucks, keep the dog inside or in an enclosed area at these times.
- If the dog races along a path or fence barking at passing distractions, put barriers or obstacles in the dog's way to slow it down.
- Ensure that the dog has adequate exercise and obedience training.
- Make sure that the dog has food, water, and shelter from the weather.
- Teach the dog to stop barking on command. For example, when the dog is barking, give a firm command such as 'quiet' or 'enough' and call the dog to you. Praise and reward the dog when it stops barking.
- Contact a certified professional dog trainer if the problem persists.

Remember, dogs bark for many reasons. If these simple tips do not help you, seek further advice from your family veterinarian or a certified professional dog trainer.