



PALMERSTON NORTH CITY

**PALMERSTON NORTH
DOG CONTROL BYLAW 2024**

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Palmerston North Dog Control Bylaw 2024

PART 1

INTRODUCTION

In exercise of the powers vested in it by the Local Government Act 2002 (LGA), the Dog Control Act 1996 (the Act) together with every power and authority conferred on it, the Palmerston North City Council makes this Bylaw:

1. TITLE

1.1. The title of this Bylaw is the Palmerston North Dog Control Bylaw 2024.

2. PURPOSE

2.1. The purpose of this Bylaw is to give effect to the Palmerston North Dog Control Policy 2024 by specifying the requirements for owners that keep dogs in Palmerston North. The requirements of the Bylaw ensure compliance with the Dog Control Act 1996 and the Palmerston North Dog Control Policy 2024, and to give effect to the objectives of that Act and that Policy.

3. COMMENCEMENT AND APPLICATION

3.1. This Bylaw commences on 1 September 2024.

3.2. This Bylaw applies to all of Palmerston North City.

4. REPEAL

4.1. This Bylaw repeals the Palmerston North Dog Control Bylaw 2018 on 1 September 2024.

5. DEFINITIONS

5.1. In this Bylaw:

Act means the Dog Control Act 1996.

Animal Control Officer means a person appointed by the Council and given delegated authority pursuant to section 11 of the Dog Control Act 1996 to carry out all or any of the functions and powers of a Dog Control Officer under the Dog Control Act 1996.

Bylaw	means the Palmerston North Dog Control Bylaw 2024.
Central Business District	means from the mid-line of the road reserve for the roads that form the Inner Ring Road, namely the area bounded by and including from the intersection of Grey and Princess St along Princess Street, to the intersection with Ferguson Street, along Ferguson Street to the intersection with Pitt Street, along Pitt Street and Bourke Street to the intersection of Bourke and Walding Streets, along Walding Street and Grey Street to the intersection with Grey and Princess Streets.
Council	means the Palmerston North City Council and includes any person authorised to act on its behalf.
Disability assist dog	means a dog certified as a disability assist dog by one of the organisations listed in Schedule 5 of the Dog Control Act 1996 as being a dog that has been trained to assist (or is being trained to assist) a person with a disability.
District	means the area within the territorial boundary of the Palmerston North City Council.
Dog Exercise Area	means a public place identified as a Dog Exercise Area in Schedule 3 of this Bylaw where dogs may be exercised at large without being controlled on a leash. Dogs must still be under control within Dog Exercise Areas.
Dog on Leash Area	means an area identified as a Dog on Leash Area in Schedule 2 of the Bylaw where dogs must be controlled on a leash.
Dog Ranger	means a person appointed as a dog ranger under section 12 of the Dog Control Act.
Leash	means a lead which is capable of restraining the dog.
Nuisance	means anything which interferes with or threatens the health or enjoyment of people, and in this context may involve things such as barking, causing distress via intimidating behaviour (such as aggressive barking or rushing), or attacking people, wildlife or other animals.

Owner	has the same meaning as under the Dog Control Act 1996 and includes every person who owns a dog or has a dog in his or her possession, or the parent or guardian of a person under the age of 16 years who owns a dog.
Policy	means the Palmerston North Dog Control Policy 2024.
Premises	includes any recreation ground, yard, building or enclosed space whether separately occupied or not and whether public or private.
Probationary Owner	means an owner classified as probationary under Section 21 of the Dog Control Act 1996.
Prohibited Public Place	means a public place identified as a Prohibited Public Place in Schedule 1 of this Bylaw where dogs are prohibited, except as provided for in this Bylaw or the Policy or the Act.
Public Place	has the same meaning as in section 2 of the Dog Control Act 1996, and generally means a place that is open to the public whether or not it is private property.
Under control	means, when referring to a dog, either controlled on a leash, or controlled by voice command where the dog obeys the commands of its controller without hesitation. Keeping a dog under control includes the obligation to ensure that the dog does not stray onto private property. <ul style="list-style-type: none"> (i) Working Dog means a dog defined as a working dog under the Dog Control Act 1996. For clarity, working dog includes any disability assist dog, as defined in the Act.

PART 2

DOGS IN PUBLIC PLACES

6. GENERAL CONTROLS

- 6.1. Subject to the exceptions described in clauses, 6.3 and 6.4, the owner of a dog shall not allow the dog on any prohibited public place, including those areas listed in Schedule 1 of this Bylaw.
- 6.2. The owner of a dog shall not allow the dog on any public place, including those areas listed in Schedule 2 of this Bylaw, unless the dog is kept under control on a leash.
- 6.3. Where the only pedestrian access to either the owner's residence, or a dog groomer's place of business, or a dog day care facility, or a veterinary surgery, is through a prohibited public place, the owner may lead the dog through the prohibited public place provided that:
 - (a) The owner and dog take the most direct route across the prohibited public place, and
 - (b) The dog is controlled on a leash.
- 6.4. Where a dog is being exercised in a dog exercise area (listed in Schedule 3) that borders a prohibited public place, the owner may lead the dog through the prohibited public place provided that:
 - (a) There is no reasonable alternative access; and
 - (b) The owner and dog take the most direct route across the prohibited public place; and
 - (c) The dog is controlled on a leash.
- 6.5. Within a dog exercise area, including those areas listed in Schedule 3 of this Bylaw, the owner of a dog shall ensure that the dog is under control but shall not be obliged to keep the dog on a leash.
- 6.6. A dog may only be allowed within the Turitea Controlled Water Catchment Area if it is registered and under the control of a person holding a valid Hunting Permit for the Turitea Water Catchment Reserve issued by the Council, and subject to conditions the Council may apply to that Hunting Permit.

7. EXEMPTION FOR WORKING DOGS

- 7.1. Clauses 6.1 and 6.2 do not apply to any working dog that is working at the time it is in a prohibited public place.

8. DISABILITY ASSIST DOGS

8.1. A disability assist dog accompanying and assisting a person with a disability or any person genuinely engaged in the dog's training may enter and remain:

(a) In any premises registered under regulations made pursuant to section 120 of the Health Act 1956; or

(b) In any public place:

subject to compliance with any reasonable condition imposed by the occupier or person having control of the premises or public place.

PART 3
KEEPING OF DOGS

9. NUMBER OF DOGS ON PREMISES

- 9.1. No more than two dogs may be kept on any premises less than 2,000m², including not more than one unspayed bitch.
- 9.2. Clause 9.1 does not apply to dogs under the age of three months.

10. DOGS TO BE KEPT MINIMUM DISTANCE FROM BOUNDARY

- 10.1. The owner of a dog shall not permit or allow the dog to be housed, confined or restrained within 1.8 metres of a boundary fence, or where the dog is likely to cause nuisance.

11. EXEMPTIONS TO CLAUSES 9 AND 10

- 11.1. An owner may apply to the Council for an exemption from the requirements of clauses 9 (multiple dog permit) and 10 (housing permit).
- 11.2. The Council may grant an exemption for specified duration under clause 11.1 provided that:
- (a) There is insufficient space on the property to house, confine or restrain the dog in accordance with clause 10.1; and
 - (b) The neighbor whose boundary adjoins the proposed area for housing, restraining or confining the dog does not object on reasonable grounds to the granting of an exemption.
- 11.3. The Council may impose conditions on any exemption granted under this clause to ensure compliance with this Bylaw, the Dog Control Policy 2024, the Dog Control Act 1996, and for the avoidance of nuisance.

12. REQUIREMENT TO PROVIDE EXERCISE

- 12.1. Owners must provide their dog with adequate exercise.

13. STANDARDS FOR THE HOUSING OF DOGS

- 13.1. Owners must provide their dog with adequate accommodation.
- 13.2. The accommodation must be:
- (a) large enough in size for the dog to stand, turn, and lie down in a natural position;
 - (b) on a hard surface;

- (c) raised off of the ground;
- (d) dry and water is prevented from entering;
- (e) ventilated;
- (f) allows the dog to access water for drinking;
- (g) suitable to protect the dog from excessive heat or excessive cold;
- (h) allows the dog to urinate or defecate in an areas away from its lying area; and
- (i) kept free of faeces and urine so that it does not accumulate in the area where the dog is kept.

13.3. If a kennel, as described in 13.2 is not provided, dogs must have access to the interior of a building with an adequate sleeping area at night.

14. BITCH IN SEASON TO BE CONFINED

14.1. An in-season bitch must be confined but adequately exercised.

15. RESPONSIBILITY TO REMOVE FAECES

15.1. Owners must immediately remove their dog's faeces from public land or premises other than that occupied by the owner, and properly dispose of dog faeces in Council provided rubbish bins, or at the owner's premises.

15.2. Owners must ensure that their private premises are kept free from excessive dog faeces that may be hazardous or injurious to health, or cause nuisance.

16. DISEASED DOGS

16.1. Dogs suffering from an infectious disease must not be taken into any public place or be allowed to wander free.

17. DOGS BECOMING A NUISANCE OR INJURIOUS TO HEALTH

17.1. If in the opinion of an animal control officer, the keeping of a dog or dogs on a premises is, or is likely to become, a nuisance or injurious or hazardous to health, property or safety, the animal control officer may give written notice requiring the owner or occupier of the premises, within the time specified in the notice not being less than 14 days, to do all or any of the following:

- (a) To reduce the number of dogs kept on the premises;
- (b) To alter, reconstruct or improve the accommodation for dogs;
- (c) To require dogs to be tied up or confined;
- (d) To take other precautions as may be considered necessary.

18. DOG NOT KEPT UNDER PROPER CONTROL

18.1. Owners of dogs not kept under proper control may be served notice by the Council requiring the owner to:

- (a) Have the dog neutered; or
- (b) Complete a dog obedience course approved by the Council.

18.2. Clause 18.1 is applicable even if the owner of the dog has not been convicted under section 53 of the Act for the offence of failing to keep a dog under control.

19. DOGS CLASSIFIED AS MENACING MUST BE NEUTERED

19.1. Dogs classified by the Council as menacing under sections 33A or 33C of the Act, must be neutered.

19.2. Dogs classified as menacing by another territorial authority that are transferring to Palmerston North City Council must be neutered.

20. NOTICE OF NEUTERING SHALL BE GIVEN

20.1. The owner of a dog required to be neutered under clause 18 or 19 of this Bylaw will be notified in writing of the requirement.

20.2. The notice will specify the date by which the dog must be neutered, being not less than 14 days from the issue of the notice. The notice shall be served in accordance with the Act.

21. DOG AND OWNER EDUCATION

21.1. From time to time the Council by resolution may approve education programmes for dogs and dog owners.

21.2. The Council will require probationary owners to undertake a dog owner education programme or a dog obedience course approved by Council, at their own expense in accordance with the Policy.

21.3. Owners required to undertake dog owner education or dog obedience course will be notified in writing of the obligation.

21.4. A probationary owner may apply to the Council for early termination of their classification as a probationary owner six months after they were classified as a probationary owner provided that:

- (a) they can demonstrate the offending will not continue; and
- (b) the owner has not committed any further offences or infringements under section 21 of the Act.

- 21.5. The Council will consider an application under clause 21.4 of this Bylaw and may grant the application after taking into account all reasonable circumstances, including sections 4 and 5 of the Act.

Not commenced

PART 4
ENFORCEMENT

22. SEIZURE OF DOGS IN PUBLIC PLACES THAT ARE IN CONTRAVENTION OF THE BYLAW

22.1. An animal control officer or a dog ranger may seize and impound any dog at large in a public place in contravention of this Bylaw, whether or not the dog is wearing a collar with the proper label or disc attached showing the dog is currently registered.

23. OFFENCES AND PENALTIES

23.1. A person who commits a breach of any of the provisions of this Bylaw, or acts contrary to the terms, conditions or restrictions of any notice or exemption duly issued under this Bylaw, commits an offence and may be liable:

- (a) either on summary conviction to a fine as specified in section 242 of the LGA.
- (b) or alternatively, a person who fails to comply with any provision of this Bylaw may be served with an infringement notice in accordance with section 65 and section 66 of the Act and shall be liable to the infringement fee prescribed in Schedule 1 of that Act.

SCHEDULE 1

PROHIBITED PUBLIC PLACES

- Any swimming pool, aqua play features or splashpads, paddling pool, or aquatic facility owned or controlled by the Council, including all areas within the fenced boundary of the swimming pool;
- Within 30 metres of any child's play equipment or play area or paddling pool in any park or reserve, or of any aviary in any park or reserve;
- Palmerston North Holiday Park (the camping grounds);
- Any marked grass playing surface or artificial sports surfaces of sports grounds or sportsfields owned or controlled by the Council;
- The Council Crematorium and all Council Cemetery grounds;
- Memorial Park;
- The Ashhurst Domain Playground and adjacent picnic area;
- The Ashhurst Domain Wetlands Conservation Area;
- The Central Victoria Esplanade area (which includes the children's playground and paddling pool, the scenic railway station, Peter Black Conservatory, Central Energy Trust Wildbase Recovery Centre, aviary and the café, also known as Victoria House);
- The Junior Road Safety Park in the Victoria Esplanade;
- The walkway around the Awapuni racecourse between 4:30am and 10:30am daily;
- Turitea Controlled Water Catchment Area, subject to clause 6.6 of this Bylaw;
- The Urban Eels platform
- Central Energy Trust Arena Manawatū

SCHEDULE 2

DOG ON LEASH AREAS

- All streets, roads and footpaths within the District except those within prohibited areas or dog exercise areas;
- All parks, reserves and walkways within the District except those within prohibited areas or dog exercise areas;
- The walkway around the Awapuni racecourse except for the prohibited time between 4:30am and 10:30am daily;
- Ashhurst Domain Camping Grounds;
- The Manawatū River Shared Pathway and adjoining reserve land (Manawatū Riverside Walkway and Bridle Track) between the Fitzherbert Bridge and the Palmerston North Holiday Park,
- He Ara Kotahi bridge;
- All public places within the Central Business District;
- Caccia Birch House.

SCHEDULE 3

DOG EXERCISE AREAS

- Drainage Reserve area off Rugby Street;
- Ashhurst Terrace Walkway;
- Frederick Krull Reserve and Walkway;
- Schnell Wetland Walkway;
- Poutoa Walkway;
- Titoki Walkway;
- Manawatu Riverside Walkway and Bridle Track excluding the section between the Fitzherbert Bridge and the Palmerston North Holiday Park;
- Mangaone Stream Walkway (except where it passes around the Awapuni Racecourse);
- Pari Reserve and Walkway (previously known as Mangaotane);
- Upper Celaeno Park (between Frederick Krull Reserve and Shakespeare Way);
- The Ruamahanga Wilderness area;
- Edwards Pit Park;
- Ahimate Reserve (previously Waitoetoe Park);
- Durham Street Park;
- Linklater Reserve (only the part which is designated as a dog exercise area, and not within 30m of children's play equipment);
- Awatea Terrace Reserve;
- "Railway" land, bounded by Pitt Street, Church Street, Pioneer Highway, and Cook Street (excluding the Skate park that is defined as a play area in Schedule 1);
- Turitea Stream Esplanade Reserves (Green Corridors);
- The Upper Circuit of the Ashhurst Domain, except for those parts of the walkway which pass through Prohibited Public Places or Dog on Leash areas as listed in schedules 1 and 2 of this Bylaw;

- Summerhill Reserve.

Decision making

Bylaw reviewed (s.155) on	26 June 2024 (Council 121-24)
Bylaw amended made on	26 June 2024 (Council 121-24)
Bylaw commenced on	1 September 2024
Next review (s.155) by	26 June 2029
Bylaw expires on	26 June 2031