



## Does my dog bark excessively?

### When barking becomes an issue

Barking is one way your dog communicates. It can signify anything from playfulness to anxiety. Reasonable barking such as when the family returns home or to protect their property, is acceptable. However, owners sometimes overlook that their dog can also adversely affect other peoples' lives. Excessive barking (as defined by the *Dog and Cat Management Act 1995*) is when a dog creates a noise, by barking or otherwise, which persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of a person. Excessive noise is one of the most frequent concerns raised with councils.

#### We understand...

...most owners are willing to work with the council to find ways to stop their dog from barking excessively.

### Excessive Barking: the Fast Facts

Many factors can cause a dog to bark excessively:

- Boredom, loneliness or a lack of entertainment
- Discomfort from fleas, worms or other irritations
- Unsuitable yards, enclosures or kennel location
- Lack of adequate food, water, exercise or training
- Guarding or protecting territory or feeling threatened
- Protecting their owner or their family
- Strange or new noises or fireworks
- Thunderstorms, high altitude planes or wailing sirens
- People passing or children playing nearby.

If your dog barks excessively and it becomes an issue for others or for council, it is reviewed and resolved through:

- Working with the owner informally with education, monitoring the situation and/or mediation
- Issuing the dog's owner with an expiation notice for excessive barking
- Issuing the owner with a 'Control Order' (barking) under the *Dog and Cat Management Act 1995*.

## We understand...

...excessive barking, is distressing for everyone. That's why it's important to manage the situation and your dog.



### If a complaint is lodged with council

The first task of the council is to determine if the complaint is valid. Sometimes the wrong dog is accused, sometimes the complaint is the result of a neighbourhood dispute and sometimes one neighbour is overly sensitive to barking while other neighbours don't notice it.

### Mediation to find a solution

Not all noise nuisances require legal solutions. If the owner and neighbour, working with council are unable to resolve the complaint informally then council will conduct a full investigation. This may include providing diary sheets and talking to neighbours, the complainant and the dog owner. Information collected at this time is vital and may be admissible as evidence if the matter is prosecuted.

### When no solution is agreed on

Councils can issue a 'Control Order' (barking) to require an owner to control their dog. Usually, an explanatory letter will be sent allowing up to 21 days to rectify the problem. If not corrected, council may issue a control order and expiate.

### When a Control Order is issued

If issued, and if the dog continues to create further excessive noise, councils can instigate prosecution against the owner if the offence is extreme, or the owner refuses or cannot comply with the Order.

If found guilty, the Court may impose a penalty that requires the owner to implement strict controls on the dog or remove the dog from the property. Contravention of an Order is a serious offence.

### When no solution is found legally

Residents have the right to take civil action directly against a dog owner to alleviate a noise nuisance. This is instigated through a Court of Summary Jurisdiction. If the complainant believes council has not handled the matter in accordance with its obligations the issue can be taken to the State Ombudsman's Office.

### Excessive Barking: a Good Owner tip

Take noise and barking dog complaints seriously however difficult it may be to investigate and resolve. Councils can provide information about reducing dog noise problems and may refer you to an expert such as a vet or dog behaviourist.

**To find the facts and other tips on how to be a good dog owner, visit [dogandcatboard.com.au](http://dogandcatboard.com.au)**