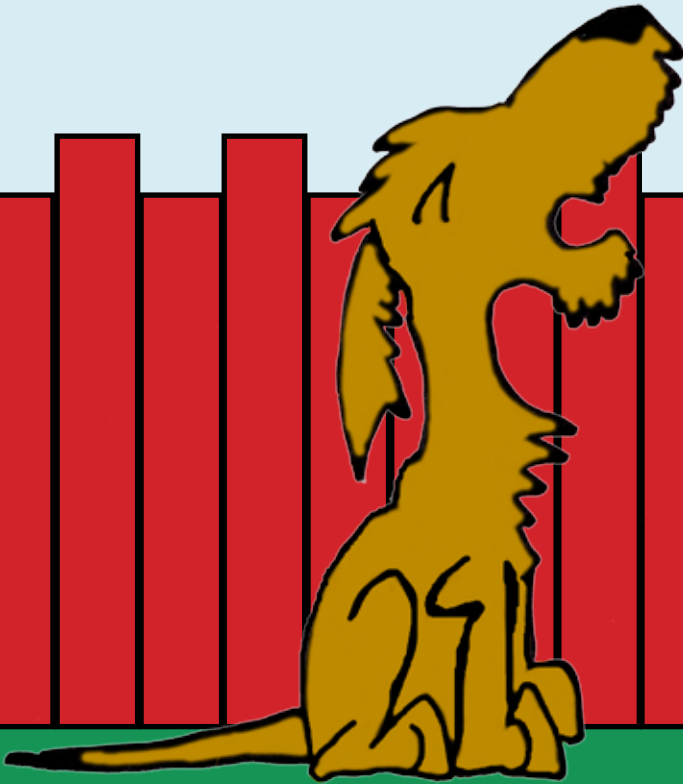


Dealing with a barking dog



BARKING MAD!

Dogs are an important part of our community, but dogs that bark excessively can become a nuisance and create friction between neighbours and others using the local environment.

Wyndham City 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 a nuisance to other people.

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

WHY DOGS BARK

Even though dogs may 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 list provides some of the main reasons why dogs bark:

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



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 trouble, it is the owner's responsibility to train the dog not to bark at "normal" occurrences such as possums, cats or birds.

Excessive barking at normal movement/noises from adjoining properties is unacceptable behaviour.



NEIGHBOURHOOD COMMUNICATION

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


Try and establish a relationship with your neighbour and their dog. This may assist with the issue. You may be in a position to offer to exercise the dog when its owner is unable due to work commitments, illness or other reasons.

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:

-  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.
-  If the dog owner is unapproachable or you are not comfortable approaching them, try placing the "Dear Neighbour" letter contained in this brochure into their letterbox.

Or

-  If the neighbour takes no action or does not agree that a problem exists, you should complete all applicable sections within this booklet and submit to Council.

In most cases a solution can be found by communicating between neighbours. This should be attempted prior to lodging a complaint with Council.



LODGING A COMPLAINT WITH COUNCIL

If all communication with your neighbour has failed, you may now start the procedure for lodging an official complaint for a barking dog.

- identify the correct address(s) of the offending dog;
- you will need to live in close proximity to the barking dog in order to lodge a complaint.(ie. within 2 houses from the dog)
- complete the “Barking Dog Complaint Form” contained in the booklet;
- keep a diary of the dogs barking habits for a period of two weeks noting the date, time, weather conditions and duration of barking, and the reason as well as the effect the dogs barking is having on you;
- forward to Council the Barking Dog Complaint form and your completed 14 day diary signed by you.
- 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.

Unless all of the above steps have been taken, the booklet will be returned to you for completion with no further action taken by Council.

COUNCIL ACTION

Council will appoint a Legislative Services Officer who will:

- Study the diary to establish barking patterns to try and determine the reason for the dog barking.
- attend the area and confirm barking.
- Confirm that other residents are being affected by the dog barking.
- Advise the dog owner of the complaint, discuss possible solutions and inform them of their responsibilities.

If the Officer believes that 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

Council will only start taking court action if the Officer believes:

- (a) the complainant is prepared to go to court.
- (b) the owner of the dog is not complying with Council’s request; and
- (c) the unacceptable level of nuisance has been confirmed; and
- (d) the owner of the dog has exhausted all avenues to resolve the problem.



WHEN COUNCIL WILL NOT TAKE ACTION

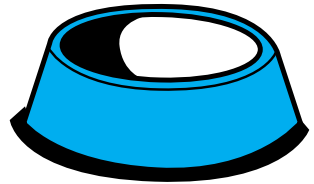
- If at any time Council believes you are not taking an interest in the complaint and have not done what Council has requested of you, the complaint will be closed and you will need to seek civil action.
- If a Council Officer determines that the barking is not an unreasonable nuisance, you will be informed in writing and the complaint will be closed.
- Council will not get involved in any domestic dispute between you and your neighbour. If this happens, Council will inform you to take your own legal action.
- When the diary and forms in this booklet have not been completed **and** signed.

You may choose to use the following for any civil action:

Dispute Settlement Centre of Victoria
4th Floor
456 Lonsdale Street
Melbourne 3000

Tel: 9603 8370
Fax: 9603 8355

Email: dscv@justice.vic.gov.au



Remember Council reserves the right to terminate all action at any time under State Government Legislation

WHAT COUNCIL REQUIRES FROM YOU FOR COURT ACTION

Complaints of this nature Council can only do what is stated in the Domestic Animals Act 1994. The only way Council can facilitate an outcome when all other avenues have been exhausted is to present the case to a Magistrate to make a determination that will legally bind both parties.

To take a barking dog complaint to court YOU are required, as the complainant, to provide all the information as it is YOU, not Council who will need to convince a Magistrate that the dog is a nuisance to YOU.

IF YOU DO NOT UNDERSTAND WHAT YOU HAVE JUST READ, THEN YOU SHOULD SEEK LEGAL ADVICE.



HOW TO COMPLETE A BARKING DOG DIARY

Your accuracy in recording the nuisance barking is of extreme importance as it may be presented as evidence in Court.

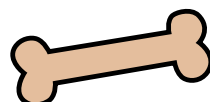
Please create a detailed diary over a two (2)-week period as per the example indicated below and attach the diary to the Barking Dog Complaint Form.

EXAMPLE ONLY

Date	Time Barking Started	Time Barking Stopped	Barking for how long?	Reason for barking (Person walking past, weather, another animal, aircraft, etc)
11.2.09	3:00 pm	3:02 pm	4 barks	Nobody in street
11.2.09	3:10 pm	3:13 pm	8 barks	Man walking dog
11.2.09	3:18 pm	3:18 pm	2 barks	Nobody in street
11.2.09	3:28 pm	3:30 pm	16 + barks	Children in street
11.2.09	3:33 pm	3:33 pm	3 barks	Nobody in street
11.2.09	3:45 pm	3:47 pm	6 barks	Plane passing over
11.2.09	3:52 pm	3:52 pm	2 barks	Nobody in street
11.2.09	3:58 pm	4:03 pm	16 + barks	Cat on fence
11.2.09	5:22 pm	5:24 pm	10+ barks	Neighbour returned home

This may seem excessive, but remember, you may be required to present this diary before a Magistrate as accurate and concise evidence.

REMEMBER: Failure to fully complete the information in this booklet will result in No Further Action initiated by Council.



BARKING DOG COMPLAINT FORM

This document and the Barking Dog Diary must be completed in full, signed and returned to Wyndham City Council within 7 days of completion.

(PLEASE PRINT ALL DETAILS)

Complainant's Name: _____
(Your Name)

Address: _____
(Your Address)

Phone number
(BH) _____ (AH) _____ (Mob) _____

Address of Offending Dog/s: _____

Description of Dog/s: _____
(Colour and Breed of Dog/s)

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

I, the undersigned, wish to lodge a formal complaint with Wyndham City 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)

I have read and understand the Barking Dog Diary Policy and Guidelines and agree to accept responsibility of what is required of me as set out in this document.

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

Signature of Complainant: _____ Date : ____ / ____ / ____

If you fail to provide all of the required information, no action can be taken in regards to this complaint.

Forward completed "Barking Dog Complaint Form" and "Barking Dog Diary" to:

Legislative Services Unit
Wyndham City Council
PO Box 197
WERRIBEE Victoria 3030

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 Wyndham City Council who 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 cooperation at this stage is all that is needed to avoid this matter progressing any further. Please call the Legislative Services Unit on 9742 0811 for any guidance and advice that you feel may assist you.

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, give the dog 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 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.
- If the dog is being left alone for long periods of time, ensure you leave it toys, bones etc. to provide stimulation.
- Make sure that the dog has food, water and shelter from the weather.
- 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.
- Teach the dog to stop barking on command. When the dog is barking give a firm command such as "cease" and call the dog to you. Praise the dog when it stops barking. If the dog will not listen to you, it will need obedience training.
- Seek professional assistance from an Animal Behaviourist before the dog develops bad habits.

REMEMBER - DOGS BARK FOR MANY REASONS.

IF THESE SIMPLE TIPS DO NOT HELP YOU, SEEK FURTHER ADVICE.



MYTH

It is natural for dogs to bark a lot

FALSE!

Barking is one of the main ways dogs communicate.

However, it is NOT normal for a dog to bark at every noise or passer by, nor to bark for long periods of time

