

DEALING WITH A
BARKING DOG
RESOURCE KIT



IF THIS FORM HAS NOT BEEN RETURNED WITHIN 14 DAYS OF RECEIPT, THE COUNCIL WILL BE OF THE UNDERSTANDING THE BARKING IS NO LONGER A NUISANCE TO YOU AND IT WILL BE TAKEN AS RESOLVED

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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.

The District Council of Mount Barker 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 and training,
- inadequate yard space,
- boredom,
- not enough human companionship,
- inadequate shelter from weather conditions,
- hunger or thirst,
- a medical condition,
- provocation,
- disturbances,
- changes to family structure, or
- 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.

Whilst 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. Consider approaching your neighbour and offering 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.

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

If you feel comfortable doing so, 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.
If the dog owner is unapproachable or you are not comfortable approaching them, try placing the 'Dear Neighbour' letter contained in this booklet into their letterbox.
2. If the neighbour takes no action or does not agree that a problem exists, you may want to contact the Legal Services Commission of SA which funds a dispute settlement service for people who find themselves in a situation of dispute or conflict with another person.
3. This service uses mediation as a way of settling neighbourhood disputes without expensive legal action. It is a private and free service. The service offers specially trained mediators who will help you both find a workable solution.

Legal Services Commission of SA
ADELAIDE
159 Gawler Place ADELAIDE SA
5000 Telephone: 1300 366 424
MOUNT BARKER 18 Walker Street
Mount Barker SA 5251

Your legal requirements for court action

In complaints of this nature Council can only do what is stated in the Dog & Cat management Act 1995. The only way Council can abate the noise completely is to go to court and obtain a court order.

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

You must keep a comprehensive diary over a period of time that shows the patterns of the dog's barking behaviour. Remember, in a court of law the evidence you give may be subjected to cross-examination.

Council will advise you to take the matter to court if:

- it is fully established that there is a case to answer.
- all avenues for reconciliation of the problems are exhausted.

The Council will not be involved in any domestic dispute between you and your neighbour. If this happens, Council will inform you to seek private litigation.

Lodging a complaint with Council

To lodge a complaint with Council you must

- Identify the correct address of the offending dog;
- Complete the attached *Barking Dog Complaint Form*
- Note 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.**
- Return the completed and signed Barking Dog complaint form to council.

Council action

Council will assign an Animal Management Officer to contact the dog owner and advise them of the complaint, discuss possible solutions and inform them of their responsibilities.

If the AMO believes there is a problem with the dog, then they 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 legal action if the Animal Management Officer believes:

- 1.** the owner of the dog is not complying with Council's request, and
- 2.** the dog is a problem, and
- 3.** the owner of the dog has exhausted all avenues to resolve the problem, and
- 4.** you are prepared to go to court if required.

Please be advised that you have the right to take civil action

BARKING DOG COMPLAINT FORM

This document is to be completed, signed and returned to The Mount Barker District Council
(PLEASE PRINT ALL DETAILS) *required information.

*Your Name: _____

* Your
Address: _____

*Postal address if different from above: _____

*Contact Phone: _____

*Address of barking dog/s: _____

Description of dog/s: _____

(Colour and breed of dog/s if known)

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

Is there more than one dog, do they both bark? YES/NO

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

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

Tell us some more about the barking, ie. Times of the day, situations that may set the barking off.

SIGNATURE _____ DATE _____



Date.....



Dear Neighbour,

Address.....

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

The dog(s) barks regularly between: ☐ 0.00am-7am ☐ 7am-Midday
☐ Midday-5pm ☐ 5pm-8pm ☐ 8pm-Midnight

The dog(s) bark when: ☐ You leave the property ☐ **When you're at home**
☐ Other

The Mount Barker District Council have suggested that as a first step I express my concern to you to allow you the opportunity to address the situation without any Council intervention.

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

This letter has been prepared by the Mount Barker District Council to assist residents with barking dog issues. A Public Safety Officer may be able to provide further assistance. Please call the Mount Barker Council on Ph: 8391-7200 or email council@mountbarker.sa.gov.au

Kind regards
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 you have a large back yard, enclosing the dog in a smaller area to allow it to relax and wait for your return rather than run about barking, will allow the dog to believe looking after the place is not its responsibility when you are not home. This can be very stressful to dogs, they like to sleep.
- Insure the dog has a inviting comfortable shelter/bed/kennel so that it will want to sleep there rather than "*guard*" the property. 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.
- An anti-barking collar may be useful for some, but not all.
- 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.
- You may like to check the Animal Welfare League's web site for further information on "animal training", www.animalwelfare.com.au or contact the league on 8348 1300
www.thedogline.com.au "The Dog Line"
www.barkcontrol.com.au "Bark Control"



Remember, dogs bark for many reasons. If these simple tips do not help you, seek further advice.