



Barking Dogs in *Your* Neighbourhood?



ORANGE CITY COUNCIL

135- 137 Byng Street, Orange NSW, 2800

PO Box 35, Orange NSW, 2800

Phone: 02 6393 8000 **Facsimile:** 02 6393 8199

Email: council@orange.nsw.gov.au **www.**[orange.nsw.gov.au](http://www.orange.nsw.gov.au)

BARKING DOGS IN YOUR NEIGHBOURHOOD?

One of the routine complaints made by residents in suburban areas is about barking dogs.

Orange City Council understands that barking dogs can be a serious problem and has a system in place to try to deal with complaints.

This brochure outlines how this system works and how residents can make a complaint.

Understanding why dogs are barking

The majority of dogs that cause nuisance barking for neighbours are actually making that noise when their owners are away from the house. Many dogs are pack animals and they are happiest when they have company and their pack (i.e. family members) is at home. Dog owners may not be aware their pets are causing noise problems.

Nuisance barking is happening when the dog is making persistent and excessive noise that interferes with the comfort, peace and quality-of-life of neighbours.

It is the responsibility of the dog owner to ensure that their dog doesn't interfere unreasonably with the comfort, peace and quality-of-life of any neighbours.

It may be that owners may be away when the barking starts and are unaware of the noise their dog makes. It may be that the owners can't seem to work out how to stop it. It may be that the barking is the result of mistreatment.

MAKING A COMPLAINT

It's up to you whether you decide to approach your neighbour in person. If you decide to make a complaint to Orange City Council, you can telephone the council on 6393 8000 or use the online complaint form at:

www.orange.nsw.gov.au/reportit

The online form lets you supply the detailed information which will let council staff investigate the complaint.

What to expect when you complain to Council about a barking dog?

There is a process which Orange City Council uses to deal with complaints about nuisance barking. It is designed to receive the complaint from a neighbour, but also give the dog owner a reasonable opportunity to change their dog's barking behaviour or deal with the problem.

It's also important to remember that council rangers are dealing with many complaints in different neighbourhoods or Orange. In matters like this, you will be the eyes and ears of the council in your neighbourhood. You will be in the best position to know whether or not there has been a change in barking behaviour.

In some cases, the barking behaviour may cease immediately when the owner learns about a complaint for the first time. However in other cases, it may take an extended period of time to achieve a result.

When you complain about a noisy dog in your neighbourhood, it may be the beginning of a long process, which is explained below.

1. After the first complaint:

After a complaint has been received, Orange City Council will contact the dog owner, by sending a letter and the 'Noisy Dogs and Nuisance Barking' information brochure. This will let the owner know that the Council has received a complaint and is suggesting solutions. In some cases, this will prompt an immediate response. However, time needs to be allowed for the dog owner to try different ways to reduce the excessive barking. Please allow at least 2 weeks before complaining again.

2. After the second complaint:

The dog owner will receive a second letter from the council and a visit from the ranger to look for a better solution and a possible outcome. The ranger will look for indications that the owner has made an effort to reduce the nuisance barking. The ranger will decide if further action needs to be taken and suggest possible strategies. If there is no change, please allow 1 to 2 weeks before complaining again.

3. After the third complaint:

The dog owner will receive a final warning letter and another visit from the ranger to determine a final outcome. The ranger will see if the owner has made serious attempts to reduce barking. Other neighbours will be contacted about noise levels. If there is no change, please allow 1 to 2 weeks before complaining again.

4. After the fourth complaint:

If the dog owner has been given reasonable time to respond to complaints, but the excessive barking is continuing, the council may issue a 'Notice of Intention to issue a Nuisance Order'. During this period, council will consider issuing a Nuisance Order. If there is a further complaint, after an order has been served, a statement is requested from the complainant and fines may be issued. If there is no change, please allow 1 to 2 weeks before complaining again.

5. After the fifth complaint:

Once Nuisance Orders are in place, further fines may be issued. Council staff will collect evidence which must of a high enough standard to go before the courts. The dog owner has the opportunity of an appeal to the courts.

Alternative legal action

You may also wish to seek legal advice about taking action in the civil courts.

As well as following these council complaint procedures, you may wish to find out more about launching noise abatement orders through the civil courts.