

# Barking Dogs



## Noise pollution and dogs

Here is information on some of the causes of excessive barking and the law as it relates to noise from dogs.

Barking is one of the ways dogs communicate. It can signify anything from playfulness to danger.

However, dogs sometimes bark for other reasons when, for example, they are:

1. Chained to a fixed point without room to move or kept in a space which is too small.
2. Provoked, deliberately or unintentionally, by people or roaming dogs.
3. Under-exercised or not exercised at all.
4. Lacking training.
5. Lonely.
6. Sick.
7. Hungry, thirsty on the wrong diet or generally neglected.

These causes of barking shouldn't be part of a dog's life. As well as indicating a possible distressed animal, chronic excessive barking can be a nuisance to people living nearby.

The RSPCA has done a lot to make the public aware of the need to prevent cruelty to animals, but the continual barking of a poorly cared for or poorly trained dog can also constitute cruelty to people. This information is intended to make life better for dog owners, their neighbours and of course dogs themselves.

## Caring for dogs

Compassion and common sense can eliminate many of the problems which lead to excessive barking. The following suggestions may help dog owners solve any problems they may be having. Provide enough space for your dog to move freely within your enclosed back yard. A dog shouldn't be left on a fixed chain for long periods as this contributes to savagery and often increases nuisance from barking or odour problems. If your dog has to be chained, it should be on a running chain.

Give your dog a place of its own. This can be a ventilated and waterproof kennel or an indoor area. A dog kept in an enclosed area at night will not usually bark and annoy neighbours.

Exercise your dog regularly and adequately for its breed and size. Remember that when you exercise your dog in a public place it should be kept on a leash. Your dog will accept kind but firm discipline. Take it to a good obedience school when the pet is young and you will enjoy the benefits.

Give your dog a balanced and varied diet. Main meals should consist of processed meat and dried dog foods. Feeding times should be regular and a supply of fresh water should be available at all times. Dogs suffer from a range of common ailments like fleas, worms distemper, cuts and bruises. Daily examination, regular baths and veterinary attention when necessary will help to ensure that your dog doesn't suffer from health problems. When boarding dogs, provide one run per animal and partition each run so that direct line of sight is eliminated. This will prevent competition between animals. In all these areas your dog will respond to good care.

## Curing the barking habit

IF you feel that your dog is well cared for, but continues to bark excessively, there are a number of things you can try:

1. Remove direct line of sight between the dog and the children or animals, which may provoke barking.
2. Take the dog to a recognised animal trainer for specialist training to discourage bad habits.
3. Provide noise insulation for the kennel.
4. There are various aids that help prevent barking (eg. Citronella collars are effective and endorsed by the RSPCA). Ask your vet or local council about these.

For further information about controlling a barking dog speak to your Veterinary Surgeon or staff at the Companion Animal Shelter, located south of the Airport on the New England Highway, Armidale.



## Noisy dogs and the law

If you are annoyed by the noise from your neighbour's dog, there are a number of things you can do. First of all, try to solve the problem by talking it over with your neighbour. They may not have realised that their dog is causing you a problem and in many cases, will be happy to do what they can to help. If this approach proves unsuccessful, you could contact a Community Justice Centre (CJC). These are government-funded independent centres that specialise in settling disputes between neighbours, thus avoiding lengthy and costly legal processes.

### **Community Justice Centres offer a state wide service. Please contact the office nearest to you.**

#### **Northern Region.**

Cnr. Boulton & Church Streets, Newcastle 2300

Tel: 02 4929 1211 or 18 0099 0777

Fax: 02 4926 2420

Email: [cjc\\_info@agd.nsw.gov.au](mailto:cjc_info@agd.nsw.gov.au)

Web: [www.cjc.nsw.gov.au](http://www.cjc.nsw.gov.au)

If the noise problem is chronic, you can take a more formal action by lodging a complaint with your local council which has powers to deal with barking dogs under the New South Wales legislation.

### **Companions Animal Act.**

Under the Companions Animal Act 1988, dog owners must:

As of the 1<sup>st</sup> of July 1999 dog owners must also:

1. Microchip their dog from 12 weeks of age and register it by six months, a once-only lifetime registration.

The Companions Animal Act also provides for a dog to be declared a nuisance if the dog:

2. Makes a noise, by barking or otherwise, continuing to the point that it unreasonably interferes with the peace of any person in any other premises.

If an authorised officer from your local council is satisfied that a dog is a nuisance, an order can be issued requiring the owner to prevent the behaviour causing the problem. The order remains in force six months after it has been issued.

### **Protection of the Environment Operation Act**

Under section 264 of the Protection of the Environment Operation (POEO) Act 1997, your local council may serve a notice on the occupier of the premises where the dog is kept. This notice (which is subject to a 7-day appeal period) may require the occupier to keep the noise from the dog below a specified level. The notice provides that if any dog ordinarily kept on the premises makes a noise in breach of the notice, then the occupier may be liable for a penalty of up to \$30 000 and a further penalty of up to \$600 for each day the offence continues. Corporations face a fine of up to \$60 000 and a further penalty of up to \$6 000 for each day the offence continues. These penalties are for actions brought in the Land and Environment Court. If proceedings are brought in a local court, the maximum penalty that may be imposed for the offence is \$10 000. Another course of action you can take is to seek a Noise Abatement Order from a local court, under section 268 of the POEO Act. These orders may be issued when a person satisfies the court that his or her occupation of premises is affected by offensive noise. The order may direct the abatement of offensive noise within the specified time and action to be taken to prevent the recurrence. Breaching the order may result in a maximum penalty of \$3300. If you decide on this course of action, speak to your legal adviser or see the chamber magistrate at your nearest local court. The POEO Act provides for local council officers to issue on-the-spot fines of \$200 to individuals (\$400 to corporations) who ignore a notice which directs the restraint of a dog from making an offensive noise.

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