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## SF002 Barking Dog Resource Kit

### DEALING WITH A **BARKING DOG** RESOURCE KIT



RESOURCE KIT  
IF THE DIARY IS NOT RETURNED WITHIN 14 DAYS OF RECEIPT THE  
INVESTIGATION WILL NOT PROCEED.



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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.

Yorke Peninsula 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 an annoyance to other people due to:

- 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; or
- The owner may be a very sound sleeper and not be 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.

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. 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**

**159 Gawler Place**

**Adelaide SA 5000**

**Telephone: 1300 366 424**

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

## 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*.

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; and
- all avenues for reconciliation are exhausted.

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. If you don't understand what you have just read, then you should seek legal advice.

## Lodging a complaint with Council

To lodge a complaint with Council you must

- Identify the correct address of the offending dog;
- Complete the 'Barking Dog Complaint Form'
- Keep a diary of the dog's barking habits for a period of 7 days, noting the date, time, weather conditions, number of barks and duration of barking, and the reason as well as the effect the dog's barking is having on you;
- Forward to Council the Barking Dog Complaint Form and your completed 7-day Diary signed by you.
- You may also be required to complete a second diary after the Owner has been notified of the complaint.

***Note: You must return the Diary within 14 days of receiving it or the investigation may not proceed.***

## Council Action

Council will appoint an Animal Management Officer (AMO) who will:

- Study the Diary to establish barking patterns to try to determine the reason for the dog's barking;
- Ascertain if other residents are being affected by the Dog's barking; and
- Advise the dog owner 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 court action if the AMO believes:

1. the owner of the dog is not complying with Council's request; and
2. the dog behaviour is a problem; and
3. the owner of the dog has exhausted all avenues to resolve the problem behavior; and
4. the complainant is prepared to go to court.

If, at any time, Council believes you are not taking an interest in the complaint, the complaint will be terminated.

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

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## SF002 BARKING DOG COMPLAINT FORM

This document must be completed in full, signed and returned to Yorke Peninsula Council  
(PLEASE PRINT ALL DETAILS) \*required information.

\*Complainant's Name: \_\_\_\_\_  
(Your Name)

\* Address: \_\_\_\_\_  
(Your Address)

\*Contact Phone:  
Home: \_\_\_\_\_ Business: \_\_\_\_\_ Mobile: \_\_\_\_\_

\*Address of offending dog/s: \_\_\_\_\_

Description of dog/s: \_\_\_\_\_  
(Colour and breed of dog/s)

Have you seen the dog/s barking?	YES/NO
Is there more than one dog on the property?	YES/NO
If so, 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
Are you prepared to go to court?	YES/NO

TELL US SOME MORE ABOUT THE BARKING, IE: TIMES OF THE DAY, SITUATIONS THAT MAY SET THE DOG OFF.

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SIGNATURE: \_\_\_\_\_

Date: \_\_\_\_\_

## 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 7-Day period as the example indicated below, and attach the Diary with the Barking Dog Complaint Form.

Example diary entries:

Day 1 Date	Time barking started	Time barking stopped	How many barks?	Reason for barking (for example, person walking past, weather, another animal, aircraft)
11/02/2011	3.00pm	3.02pm	4 barks	Nobody in the street
11/02/2011	3.10pm	3.13	8 barks	Man walking dog
11/02/2011	3.18pm	3.18	2 barks	Nobody in the street
11/02/2011	3.28pm	3.30	16 barks	Children riding past
11/02/2011	3.33pm	3.33	3 barks	Nobody in street
11/02/2011	3.45pm	3.47	6 barks	Plane passing over
11/02/2011	3.52pm	3.52	2 barks	Cat on fence
11/02/2011	3.58pm	4.03	10 barks	Owner returned home

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

Forward your completed diary and form to:

**Yorke Peninsula Council  
Ranger  
PO Box 57  
MAITLAND SA 5573**



# Barking Dog Diary

Day 1	Time Barking Started	Time Barking Stopped	How Many Barks?	Reason for barking. (For example, person walking past, weather, another animal, aircraft, construction)

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Day 2	Time Barking Started	Time Barking Stopped	How Many Barks?	Reason for barking. (For example, person walking past, weather, another animal, aircraft, construction)

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Day 3	Time Barking Started	Time Barking Stopped	How Many Barks?	Reason for barking. (For example, person walking past, weather, another animal, aircraft, construction)

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Day 4	Time Barking Started	Time Barking Stopped	How Many Barks?	Reason for barking. (For example, person walking past, weather, another animal, aircraft, construction)

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Day 5	Time Barking Started	Time Barking Stopped	How Many Barks?	Reason for barking. (For example, person walking past, weather, another animal, aircraft, construction)

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Day 6	Time Barking Started	Time Barking Stopped	How Many Barks?	Reason for barking. (For example, person walking past, weather, another animal, aircraft, construction)

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Day 7	Time Barking Started	Time Barking Stopped	How Many Barks?	Reason for barking. (For example, person walking past, weather, another animal, aircraft, construction)

Signature \_\_\_\_\_ Date: \_\_\_\_\_

**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 the Yorke Peninsula Council which 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.**

**Also included is some information that may be of assistance to you in resolving the problem.**

**Your co-operation at this stage is all that is needed to avoid this matter progressing any further.**

**Your Neighbour,**

**Date.....**





## 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.
- Ensure the dog has an inviting comfortable shelter/bed/kennel so it will want to sleep there rather than "*guard*" the property. Make sure 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](http://www.animalwelfare.com.au) or contact the League on 8348 1300

[www.thedogline.com.au](http://www.thedogline.com.au) "The Dog Line"

[www.barkcontrol.com.au](http://www.barkcontrol.com.au) "Bark Control"

[www.barkbusters.com.au](http://www.barkbusters.com.au) "Bark Busters"

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