



CORPORATION OF THE CITY OF ADELAIDE

By-law made under the Local Government Act 1999 and the Dog and Cat Management Act 1995

DOGS BY-LAW 2018

By-law No. 7 of 2018

To limit the number of dogs that can be kept on premises and to provide for the control and management of dogs in the Councils area.

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the *Dogs By-law 2018*.

2. Commencement

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

3. Definitions

In this by-law:

- 3.1 **Approved Kennel Establishment** means a building, structure, premises or area approved by the relevant authority pursuant to the *Development Act 1993* or otherwise lawfully established for the keeping of Dogs on a temporary or permanent basis;
- 3.2 **Assistance Dog** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.3 **Children's Playground** means any enclosed area in which there is equipment, apparatus or other installed devices for the purpose of children's play, or within 5 metres of such devices if there is no enclosed area;
- 3.4 **Control**, in relation to a Dog, includes the person having ownership, possession or charge of, or authority over, the Dog;
- 3.5 **Dangerous Dog** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.6 **Dog** means an animal of the species *canis familiaris* that is over three months of age or has lost its juvenile canines, but does not include a dingo or cross of a dingo;
- 3.7 **Effective Control** means a person exercising effective control of a Dog either:

- 3.7.1 by means of a physical restraint;
- 3.7.2 by command, the Dog being in close proximity to the person, and the person being able to see the Dog at all times;
- 3.8 **Local Government Land** has the same meaning as in the *Local Government Act 1999*;
- 3.9 **Park** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.10 **Premises** includes land and a part of any premises or land whether used or occupied for domestic or nondomestic purposes except an Approved Kennel Establishment;
- 3.11 **Prescribed Breed** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.12 **Public Place** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.13 **Small Dwelling** means a self-contained dwelling commonly known as an apartment, flat, service flat, home unit or the like.

Part 2 – Dog Management and Control

4. Limit on Dog Numbers

A person must not, without the Council's permission, keep:

- 4.1 more than one Dog in a Small Dwelling;
- 4.2 more than two Dogs on any Premises other than a Small Dwelling.

5. Exemptions

The limits set out in paragraph 4 of this by-law do not apply:

- 5.1 to an Approved Kennel Establishment operating in accordance with all required approvals and consents; or
- 5.2 to any business involving Dogs which is registered in accordance with the *Dog and Cat Management Act 1995*; or
- 5.3 if the Council has exempted any Premises from compliance with paragraph 4 of this by law by the granting of an exemption.

6. Dog Free Areas

- 6.1 A person must not allow a Dog in that person's Control to be in, or remain in a Dog Free Area.
- 6.2 For the purposes of this paragraph, a **Dog Free Area** is any:
 - 6.2.1 Local Government Land; or

6.2.2 Public Place,

to which the Council has resolved this paragraph applies.

6.3 The restrictions in subparagraph 6.1 do not apply to any Assistance Dog.

7. **Dogs on Leashes**

7.1 A person must not allow a Dog under that person's Control to be in, or remain in, a Dog on Leash Area unless the Dog is secured by a strong leash not exceeding two metres in length which is either:

7.1.1 tethered securely to a fixed object capable of securing the Dog; or

7.1.2 held by a person capable of controlling the Dog and preventing it from being a nuisance or a danger to other persons.

7.2 For the purposes of this paragraph, a **Dog on Leash Area** is any:

7.2.1 Local Government Land or Public Place to which the Council has resolved that this paragraph applies;

7.2.2 Park when organised sport is being played; or

7.2.3 enclosed Children's Playground or if a Children's playground is not enclosed land within five metres of children's playground equipment.

8. **Dog Exercise Areas**

8.1 Subject to paragraphs 6, 7 and 8.4, a person may enter any Dog Exercise Area for the purpose of exercising a Dog under his or her control.

8.2 For the purposes of this paragraph, a **Dog Exercise Area** is any:

8.2.1 Park; or

8.2.2 Local Government Land that the Council has resolved is a Dog Exercise Area.

8.3 A person must ensure that any Dog under their control remains under Effective Control while the Dog is in a Dog Exercise Area.

8.4 A person must not cause, suffer or permit any Dog of a Prescribed Breed or a Dangerous Dog under that persons control, charge or authority to be or remain in a Dog Exercise Area.

Part 3 – Miscellaneous

9. **Application of Paragraphs**

9.1 The Council may from time to time, by resolution, identify Local Government Land as a Dog Exercise Area in accordance with subparagraph 8.2.2 of this by-law.

- 9.2 Paragraphs 6 and 7.2.1 of this by-law shall apply only in such portion or portions of the Council's area as the Council may by resolution direct from time to time in accordance with Section 246 (3) (e) of the *Local Government Act 1999*.
- 9.3 Where the Council makes a resolution under either of subparagraphs 9.1 or 9.2, the Council's Chief Executive Officer must ensure that:
- 9.3.1 the area is denoted by signs erected by the Council; and
- 9.3.2 information is provided to the public on the Council's website and in any other manner determined by the Council's Chief Executive Officer.

10. Revocation

Council's *By-law No. 7 – Dogs*, published in the *Gazette* on 9 June 2011, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Corporation of the City of Adelaide held on 14 August 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.


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Beth Davidson-Park
Acting Chief Executive Officer