

CITY OF MELVILLE

DOG LOCAL LAW 2021

DOG ACT 1976

LOCAL GOVERNMENT ACT 1995

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**DOG ACT 1976
LOCAL GOVERNMENT ACT 1995**

CITY OF MELVILLE

DOG LOCAL LAW

Under the powers conferred by the *Dog Act 1976* and the *Local Government Act 1995*, and under all other powers enabling it, the Council of the City of Melville resolved on [date to be inserted] to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *City of Melville Dog Local Law*.

1.2 Repeal

The *City of Melville Dog Local Law 2005* published in the Government Gazette on 19 April 2005 is repealed on the day this local law comes into operation.

1.3 Purpose, effect and application

- (1) The purpose of this local law is to provide for those matters in the *Dog Act 1976* that may be dealt with under local laws.
- (2) The effect of this local law is to:
 - (a) Provide for the operation of a pound and charges to be levied under section 29(4) of the *Dog Act*; and
 - (b) Specify the fencing requirements for the keeping of dogs; and
 - (c) Specify the number of dogs that can be kept in or at a premises; and
 - (d) Make provision for the licensing of kennel establishments; and
 - (e) Make provision for objection and appeal rights against certain decisions; and
 - (f) Designate dog exercise areas under section 31(3A) of the *Dog Act*; and
 - (g) Provide for specification of public places in which dogs are prohibited totally, and areas in which dogs must be controlled in accordance with section 31(1) of the *Dog Act*; and
 - (h) Provide for the enforcement of this local law.
- (3) This local law applies throughout the district of the City of Melville.
- (4) This local law is subject to any written law of the State of Western Australia and any law of the Commonwealth about assistance animals as defined in the *Disability Discrimination Act 1992* (Cwth) section 9(2).

1.4 Definitions

In this local law unless the context otherwise requires—

“Act” means the *Dog Act 1976*;

“assistance dog” has the meaning given to the term in section 8(1) of the Act.

“authorised person” means a person authorised by the CEO under section 9.10(2) of the *Local Government Act 1995* to perform all or any of the functions conferred on an authorised person under this local law, and includes any ranger employed by the City of Melville;

“CEO” means the Chief Executive Officer of the City of Melville;

“dangerous dog” has the same meaning as given to it in Section 3.1 of the Act;;

“district” means the district of the City of Melville declared under the *Local Government Act 1995*;

“kennel” means any structure or land used for the boarding or breeding of dogs;

“local government” means the City of Melville;

“local planning scheme” means a local planning scheme made by the local government from time to time under the *Planning and Development Act 2005* and which applies throughout the whole or to the relevant part of the district.

“pound” means a dog management facility established and maintained by the local government under section 11 of the Act and used for the purposes of keeping dogs seized or impounded under the Act or this local law;

“Regulations” means the *Dog Regulations 1976*;

“schedule” unless the context states otherwise, shall mean a schedule of this local law;

“seized” shall mean a dog seized by an authorised person, but not having been placed in a pound; and

“thoroughfare” has the meaning given to it in section 1.4 of the *Local Government Act 1995*.

Other words and expressions used in this local law have the meanings respectively given to them in and for the purpose of the Act and Regulations.

PART 2—IMPOUNDING OF DOGS

2.1 Attendance of authorised person at pound

An authorised person is to be in attendance at the pound for the release of dogs at the times and on the days of the week as are determined by the CEO.

2.2 Release of impounded dogs

The owner or person lawfully authorised by the owner of a seized or impounded dog requiring the release of the dog shall be entitled to the release of that dog, subject to:

- (a) production of such proof of ownership of the dog or lawful authorisation as the authorised person, in their discretion, considers sufficient;
- (b) payment of the fees and charges as specified; and
- (c) proof of registration of the dog in accordance with the Act,

2.3 No breaking into or destruction of pound

- (1) A person shall not release or attempt to release a dog from a pound unless that person is a person who has been authorised by the local government to do so.
- (2) A person shall not destroy, break into, damage or in any way interfere with or render ineffective—
 - (a) any pound; or
 - (b) any vehicle or container used for the purpose of catching, holding or conveying a seized dog.
- (3) A person who acts contrary to subclause (1) or (2) commits an offence.

Penalty: The penalty stated in section 43(1) of the Act applies.

2.4 Charges and costs

The following are to be imposed and determined by the local government under sections 6.16—6.19 of the *Local Government Act 1995*—

- (a) the charges to be levied under section 29 (4) of the Act relating to the seizure and impounding of a dog;
- (b) the additional fee payable under section 29 (4) of the Act where a dog is released at a time or on a day other than those determined under clause 2.1;

- (c) the costs of the destruction and the disposal of a dog referred to in section 29 (15) of the Act; and.
- (d) the charges for the sustenance and maintenance of a dog in a pound calculated per day or part thereof.

2.5 Destruction of dogs

The local government may engage the services of a veterinary surgeon registered pursuant to the *Veterinary Surgeons Act 1960* to implement the euthanasia of dogs required to be destroyed by the local government pursuant to the Act or this local law.

PART 3—FENCING REQUIREMENTS AND LIMITATIONS ON THE KEEPING OF DOGS

3.1 Dogs to be confined

- (1) In this clause the term “fence” includes a wall but does not include a hedge.
- (2) A person who owns or has care and control of a dog that is kept or is usually permitted to live in or at a premises within the district shall cause the portion of those premises on which the dog is kept to be fenced in a manner capable of effectively confining the dog to that portion.
- (3) Every part of the fence used to confine a dog shall be of a type, height and construction which, having regard to the breed, age, size and physical condition of the dog, prevents the dog from passing over, under or through the fence.
- (4) If there is a gate in the fence the gate shall —
 - (a) be kept closed at all times except when the dog is not kept on the premises, but nothing in this subclause prevents a person from opening a gate in order to enter or leave the premises; and
 - (b) be fitted with —
 - (i) an efficient self-closing mechanism;
 - (ii) an efficient self-latching mechanism; and
 - (iii) a mechanism which enables the gate to be permanently latched or locked.

3.2 Direction to provide a suitable enclosure

- (1) A person authorised by the local government may serve a written direction to the owner of any dog to provide a suitable enclosure that effectively confines a dog on the property where the dog is normally kept if in the opinion of the authorised person the dog is not adequately prevented from escaping from the property.
- (2) Any person receiving a lawful direction pursuant to subclause (1) shall comply with the direction within 14 days of its service.
- (3) A person who fails to comply with a direction given under subclause (1) commits an offence.

Penalty: \$2,000

3.3 Limitation on the number of dogs

- (1) A person must not keep in or at any premises within the district more than 2 dogs over the age of 3 months and the young of those dogs under that age.
- (2) Subclause (1) does not apply to dogs that do not ordinarily reside in or at the premises.
- (3) Subclause (1) does not apply to premises which have been—
 - (a) licensed under Part 4 as an approved kennel establishment; or
 - (b) granted an exemption under section 26 (3) of the Act.

Penalty: The penalty stated in section 26(4) of the Act applies.

PART 4—APPROVED KENNEL ESTABLISHMENTS

4.1 Interpretation

In this Part and in Schedules 1 and 2 —

- “adjoining” means land or premises which have a common boundary or portion of a boundary with a lot or is separated from that lot by a right-of-way, pedestrian access way, access leg of a battleaxe lot or the equivalent not more than 6 metres in width;
- “licence” means a licence to keep an approved kennel establishment on premises;
- “licensee” means the holder of the licence;
- “premises”, in addition to the meaning given to it in section 3 of the Act, means the premises described in the application for a licence; and
- “transferee” means a person who applies for the transfer of a licence to themselves under clause 4.12 of this local law.

4.2 Application for licence for approved kennel establishment

An application for a licence must be made in the form shown in Schedule 1, and must be lodged with the local government together with —

- (a) plans and specifications of the kennel establishment, including a site plan;
- (b) copies of the notices to be given under clause 4.3 of this local law;
- (c) written evidence that either the applicant or another person who will have the charge of the dogs, will reside on the premises or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare;
- (d) a written acknowledgment that the applicant has read and agrees to comply with any code of practice relating to the keeping of dogs adopted or nominated by the local government;
- (e) the fee for the application for a licence referred to in clause 4.9 (1) of this Local Law; and
- (f) a copy of a planning approval issued by the local government under a local planning scheme.

4.3 Notice of proposed use

- (1) An applicant for a licence must give notice of the proposed use of the premises as an approved kennel establishment after the application for a licence has been lodged—
 - (a) once in a newspaper circulating in the district; and
 - (b) to the owner and occupiers of any premises adjoining the premises.
- (2) The notices in subclause (1) must specify that—
 - (a) any written submissions as to the proposed use are to be lodged with the CEO within 14 days of the date the notice is given; and
 - (b) the application and plans and specifications may be inspected at the offices of the local government.
- (3) Where—
 - (a) the notices given under subclause (1) do not clearly identify the premises; or
 - (b) a notice given under subclause (1)(a) is of a size or in a location in the newspaper which, in the opinion of the local government, would fail to serve the purpose of notifying persons of the proposed use of the premises,then the local government may refuse to determine the application for a licence until the notices are given in accordance with its directions.

4.4 When application can be determined

An application for a licence is not to be determined by the local government until—

- (a) the applicant has complied with clause 4.2;
- (b) the applicant submits proof that the notices referred to in subclause 4.3 (1) have been given in accordance with that subclause; and

- (c) the local government has considered any written submissions received within the time specified in subclause 4.3 (2) (a) on the proposed use of the premises.

4.5 Determination of application

In determining an application for a licence, the local government is to have regard to—

- (a) the matters referred to in clause 4.7;
- (b) any written submissions received within the time specified in subclause 4.3 (2) (a) on the proposed use of the premises;
- (c) the economic or social benefits which may be derived by any person in the district if the application for a licence is approved;
- (d) the effect which the kennel establishment may reasonably be expected to have on the owners and occupiers of adjoining premises; and
- (e) whether or not the imposition of and compliance with appropriate conditions of a licence will mitigate any potential nuisance or other adverse effects of the approved kennel establishment identified in the preceding paragraphs.

4.6 Where an application cannot be approved

The local government cannot approve an application for a licence where —

- (a) an approved kennel establishment cannot be permitted by the local government on the premises under its local planning scheme; or
- (b) an applicant for a licence or another person who will have the charge of the dogs will not reside on the premises, or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare.

4.7 Conditions of approval

- (1) The local government may approve an application for a licence subject to the conditions contained in Schedule 2 and to such other conditions as the local government considers appropriate.
- (2) In respect of a particular application for a licence, the local government may vary any of the conditions contained in Schedule 2.

4.8 Compliance with conditions of approval

A licensee who does not comply with the conditions of a licence commits an offence under the Act.

4.9 Fees

- (1) On lodging an application for a licence, the applicant is to pay the approved fee to the local government.
- (2) On the issue or renewal of a licence, the licensee is to pay the approved fee to the local government.
- (3) On lodging an application for the transfer of a valid licence, the transferee is to pay the approved fee to the local government.
- (4) The fees referred to in subclauses (1) to (3) are to be imposed and determined by the local government under sections 6.16-6.19 of the Local Government Act 1995.

4.10 Form of licence

The licence is to be in the form determined by the local government and is to be issued to the licensee.

4.11 Period of licence

- (1) The period of effect of a licence is set out in section 27 (5) of the Act.
- (2) A licence is to be renewed if the fee referred to in subclause 4.9 (2) is paid to the local government prior to the expiry of the licence.

- (3) On the renewal of a licence the conditions of the licence at the time of its renewal continue to have effect.

4.12 Transfer of licence

- (1) An application for the transfer of a valid licence from the licensee to another person must be —
- (a) made in the form determined by the local government;
 - (b) made by the transferee;
 - (c) made with the written consent of the licensee; and
 - (d) lodged with the local government together with—
 - (i) written evidence that a person will reside at or within reasonably close proximity to the premises the subject of the licence; and
 - (ii) the fee for the application for the transfer of a licence referred to in subclause 4.9(3).
- (2) The local government is not to determine an application for the transfer of a valid licence until the transferee has complied with subclause (1).
- (3) The local government may approve, whether or not subject to such conditions as it considers appropriate, or refuse to approve an application for the transfer of a valid licence.
- (4) Where the local government approves an application for the transfer of a valid licence, then on the date of approval, unless otherwise specified in the notice issued under subclause 4.13 (b), the transferee becomes the licensee of the licence for the purposes of this local law.

4.13 Notification

The local government is to give written notice to—

- (a) an applicant for a licence of the local government's decision on their application;
- (b) a transferee of the local government's decision on their application for the transfer of a valid licence;
- (c) a licensee when their licence is due for renewal and the manner in which it may be renewed ; or
- (d) a licensee when their licence is renewed.

4.14 Inspection of kennel

Subject to 24 hours notice in writing to the occupier, an authorised person may inspect an approved kennel establishment at any time.

PART 5—DOGS IN PUBLIC PLACES

5.1 Places where dogs are prohibited totally

- (1) A person liable for the control of a dog shall prevent that dog entering or being in or upon any of the following public places that are under the care, control or management of the local government —
- (a) a public building unless permitted by a sign;
 - (b) an area set aside by a wall, fence, sandpit or other soft-fall surface as a children's playground; and
 - (c) an area specified by the Council under section 31(2B) of the Act and marked by appropriate signage.
- (2) If a dog enters or is in a place specified in subclause (1), every person liable for the control of the dog at the time commits an offence.
- (3) Where an area to which subclause (1)(c) applies has been specified as being prohibited to dogs at certain times, subclause (2) applies only during those times.
- (4) Subclause (1) does not apply to assistance dogs accompanying and under the control of a person who has a disability or a medical condition an effect of which can be alleviated or managed by the use of an assistance dog.

Penalty: The penalty set out in section 31(3) of the Act applies.

5.2 Dog exercise areas

- (1) For the purposes of sections 31 and 32 of the Act, a public place that is under the care, control and management of the local government is a dog exercise area unless that public place—
 - (a) is a place described in clause 5.1(1); or
 - (b) is being used for an organised function or event attended by people; or
 - (c) is land which has been set apart and identified as a children's playground; or
 - (d) is a thoroughfare or pathway; or
 - (e) has been specified by the local government as a place where dogs are required to be leashed and is marked with appropriate signage.
- (2) If a dog enters or is in a place specified in subclauses (1)(b), (c), (d) or (e) and is not tethered or leashed in accordance with section 31(1) of the Act, every person liable for the control of the dog at the time commits an offence.

Penalty: The penalty stated in section 31(3) of the Act applies.

PART 6—MISCELLANEOUS

6.1 Offence to permit dog to excrete

- (1) A dog must not excrete on—
 - (a) any thoroughfare, pathway or other public place; or
 - (b) any land which is not a public place without the consent of the occupier.
- (2) Subject to subclause (3), if a dog excretes contrary to subclause (1), every person liable for the control of the dog at that time commits an offence.
- (3) The person liable for the control of the dog does not commit an offence against subclause (2) if the excreta is removed immediately by that person.

Penalty: \$2,000.

6.2 Objection and appeal rights

- (1) The review provisions in section 27(7) of the Act apply to a decision of the local government to refuse the grant of a licence under clause 4.5.
- (2) Part 9 Division 1 of the *Local Government Act 1995* applies to a decision under clauses 3.2 or 4.12 of this local law.

PART 7—ENFORCEMENT

7.1 Interpretation

In this Part—

“infringement notice” means the notice referred to in clause 7.3; and

“notice of withdrawal” means the notice referred to in clause 7.6 (1).

7.2 Modified penalties

- (1) The offences contained in Schedule 3 are offences in relation to which a modified penalty may be imposed.
- (2) The amount specified in the third column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence if the dog that is the subject of the offence is not a dangerous dog.

- (3) The amount specified in the fourth column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence if the dog that is the subject of the offence is a dangerous dog.
- (4) The amount specified in the fifth column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence whether or not the dog that is the subject of the offence is or is not a dangerous dog.

7.3 Issue of infringement notice

Where an authorised person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, that authorised person may issue to that person a notice in the form of Form 8 of Schedule 1 of the Regulations.

7.4 Payment of modified penalty

A person who has received an infringement notice may, within the time specified in that notice or within such further time as may in any particular case be allowed by the CEO, send or deliver to the local government the amount of the penalty, with or without a reply as to the circumstances giving rise to the offence, and the local government may appropriate that amount in satisfaction of the penalty and issue an acknowledgment.

7.5 Failure to pay modified penalty

Where a person who has received an infringement notice fails to pay the modified penalty within the time specified in the notice, or within such further time as may in any particular case be allowed by the CEO, that person is deemed to have declined to have the offence dealt with by way of a modified penalty.

7.6 Withdrawal of infringement notice

- (1) Whether or not the modified penalty has been paid, an authorised person acting on behalf of the local government may withdraw an infringement notice issued under clause 7.3 by sending a notice in the form of Form 9 of Schedule 1 of the Regulations.
- (2) A person appointed to be an authorised person for the purposes of issuing an infringement notice under clause 7.3 is not eligible to be authorised to withdraw infringement notices under this clause.

7.7 Service

An infringement notice or a notice of withdrawal of an infringement notice may be served on a person personally, or by leaving it at or posting it to that person's address as ascertained from them, or as recorded by the local government under the Act, or as ascertained from inquiries made by the local government.

7.8 Warning

An authorised person may issue a written warning to a person believed to have committed an offence where that person has not previously been prosecuted or issued with an infringement notice for an offence of that type and the offence did not result in harm to any person, animal or property.

7.9 General penalty

Unless otherwise specified in this local law, any person who contravenes any provision of this local law or fails to comply with a notice issued under this local law commits an offence and may be subject to a penalty of \$5,000.

SCHEDULE 1
(Clause 4.2)
CITY OF MELVILLE DOG LOCAL LAW

APPLICATION FOR A LICENCE FOR AN APPROVED KENNEL ESTABLISHMENT

I / We (Full name)

Of (postal address)

(telephone number)

(facsimile number)

(E-mail address)

Apply for a licence for an approved kennel establishment at (address of premises)

.....

For (number and breed of dogs)

* (insert name of person) will be residing at the premises on and from (insert date)

* (insert name of person) will be residing (sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare) at

..... (insert address of residence) on and from

.....(insert date).

Attached are—

(a) a site plan of the premises showing the location of the kennels and yards and all other buildings and structures and fences;

(b) plans and specifications of the kennel establishment;

(c) copy of notice of proposed use to appear in newspaper;

(d) copy of notice of proposed use to be given to adjoining premises;

(e) written evidence that a person will reside—

(i) at the premises; or

(ii) sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare; and

(f) if the person in item (e) is not the applicant, written evidence that the evidence that the person is a person in charge of the dogs.

I confirm that I have read and agree to comply with the Code of Practice known as

....., in the keeping of dogs at the proposed kennel establishment.

Signature of applicant

Date

* delete where inapplicable.

Note: a licence if issued will have effect for a period of 12 months—section 27.5 of the Dog Act 1976.

OFFICE USE ONLY

Application fee paid on (insert date)

SCHEDULE 2
(Clause 4.7 (1))
CITY OF MELVILLE DOG LOCAL LAW
CONDITIONS OF A LICENCE FOR AN APPROVED KENNEL ESTABLISHMENT

An application for a licence for an approved kennel establishment may be approved subject to the following conditions—

- (a) each kennel, unless it is fully enclosed, must have a yard attached to it;
- (b) each kennel and each yard must be at a distance of not less than—
 - (i) 25m from the front boundary of the premises and 5m from any other boundary of the premises;
 - (ii) 10m from any dwelling; and
 - (iii) 25m from any church, school room, hall, factory, dairy or premises where food is manufactured, prepared, packed or stored for human consumption;
- (c) each yard for a kennel must be kept securely fenced with a fence constructed of link mesh or netting or other materials approved by the local government;
- (d) the minimum floor area for each kennel must be calculated at 2.5 times the length of the breed of dog (when it is fully grown), squared, times the number of dogs to be housed in the kennel and the length of the dog is to be determined by measuring from the base of the tail to the front of its shoulder;
- (e) the floor area of the yard attached to any kennel or group of kennels must be at least twice the floor area of the kennel or group of kennels to which it is attached;
- (f) the upper surface of the kennel floor must be—
 - (i) at least 100mm above the surface of the surrounding ground;
 - (ii) smooth so as to facilitate cleaning;
 - (iii) rigid;
 - (iv) durable;
 - (v) slip resistant;
 - (vi) resistant to corrosion;
 - (vii) non-toxic;
 - (viii) impervious;
 - (ix) free from cracks, crevices and other defects; and
 - (x) finished to a surface having a fall of not less than 1 in 100 to a spoon drain which in turn must lead to a suitably sized diameter sewerage pipe which must be properly laid, ventilated and trapped in accordance with the health requirements of local government;
- (g) all kennel floor washings must pass through the drain in item (f) (x) and must be piped to approved apparatus for the treatment of sewage in accordance with the health requirements of the local government;
- (h) the kennel floor must have a durable upstand rising 75mm above the floor level from the junction of the floor and external and internal walls, or internal walls must be so constructed as to have a minimum clearance of 50mm from the underside of the bottom plate to the floor;
- (i) where a yard is to be floored, the floor must be constructed in the same manner as the floor of any kennel;
- (j) from the floor, the lowest internal height of a kennel must be, whichever is the lesser of—
 - (i) 2m; or
 - (ii) 4 times the height of the breed of dog in the kennel, when it is fully grown, measured from the floor to the uppermost tip of its shoulders while in a stationary upright position;
- (k) the walls of each kennel must be constructed of concrete, brick, stone or framing sheeted internally and externally with good quality new zincalume or new pre-finished colour coated steel sheeting or new fibrous cement sheeting or other durable material approved by the local government;
- (l) all external surfaces of each kennel must be kept in good condition;
- (m) the roof of each kennel must be constructed of impervious material;
- (n) all kennels and yards and drinking vessels must be maintained in a clean condition and must be cleaned and disinfected when so ordered by an authorised person;
- (o) all refuse, faeces and food waste must be disposed of daily into the approved apparatus for the treatment of sewage;
- (p) noise, odours, fleas, flies and other vectors of disease must be effectively controlled;
- (q) suitable water must be available at the kennel via a properly supported standpipe and tap; and
- (r) the licensee or the person nominated in the application for a licence, must, in accordance with the application for the licence, continue to reside—
 - (i) at the premises; or

- (iii) in the opinion of the local government, sufficiently close to the premises so as to control the dogs, and to ensure their health and welfare.

SCHEDULE 3
(Clause 7.2)
CITY OF MELVILLE DOG LOCAL LAW

OFFENCES IN RESPECT OF WHICH A MODIFIED PENALTY APPLIES

Clause	Offence	Modified penalty \$	Modified penalty for dangerous dogs \$	Modified penalty whether or not dog is a dangerous dog \$
2.3	Interfering with any pound or vehicle used for the purpose of catching, holding or conveying dogs			200
3.2	Failure to comply with a direction to provide a suitable enclosure to effectively confine a dog	200	400*	
3.3	Keeping more than the prescribed number of dogs without relevant approval	200*	400*	
4.8	Failing to comply with the conditions of a kennel licence			200*
5.1	Dog in place from which prohibited absolutely or during time in which prohibited	200	400*	
6.1	Dog excreting in prohibited place			200

*As prescribed by regulation 33 of the Regulations.

Comparison between the Dog Local Law 2005 and the proposed Dog Local Law

Clause in new local law	Variation from Dog Local Law 2005
Table of contents	New – assists reader to locate clauses
1.2 Repeal	Procedural amendment
1.3 Purpose, effect and application	New clause - inserts purpose, effect and application of local law, including that it is subject to other laws
1.4 Definitions	Inserts definition of assistance dogs consistent with Act Updates certain definitions to align with current legislation
2.1 Attendance at pound	Replaces “poundkeeper” with “authorised person” for consistency with Dog Act and Local Government Act
2.3 Breaking into or destruction of pound	Aligns terminology with clause 2.1
2.5 Destruction of dogs	Adds missing heading
3.1 Dogs to be confined	Clarifies definition of fence Clarifies that the clause imposes a responsibility on the owner of the dog in relation to the premises at which a dog usually lives Adds “latched” to the gate requirements
3.2 Direction to provide a suitable enclosure	Adds missing heading Specifies that a direction may be given by a person authorised by the local government to be consistent with Part 3 of the Local Government Act
3.3 Limitation on the number of dogs	Clarifies wording and clarifies that the limitation applies to dogs ordinarily resident at the premises
5.1 Places where dogs are prohibited	Removes reference to shops and business premises (not within power) Removes reference to Schedule 4 Expands previous exemption for guide dogs and hearing dogs to apply to all assistance dogs.
5.2 Dog exercise areas	Specifies that in places exempted under subclauses, dogs must be tethered or leashed in accordance with s.31(1) of the Act Removes reference to Schedule 5
6.1 Offence to permit dog to excrete	Clarifies heading
6.2 Objection and appeal rights	New clause - inserts reference to objection and appeal rights against decisions of the local government (requirement of Joint Standing Committee on Delegated Legislation)
7.6 Withdrawal of infringement notice	Clarifies who may withdraw infringement notices – consistent with amended Regulations
Schedule 4 – Areas in which dogs are prohibited totally	Deleted
Schedule 5 – Areas in which dogs must be under control	Deleted
Penalties (throughout)	Removes separate penalties when the offence is also an offence under the Dog Act and replaces with reference to Act Amends modified penalties to align with Dog Regulations.
Editing changes (throughout)	Minor editing and corrections to style, punctuation, inconsistent use of upper case and legal references, applies gender-neutral language