



GREAT LAKE TAUPŌ

Taupō District Council
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14 June 2017

Jan Smeaton

██████████
Taupo 3351

Dear Ms Smeaton

Notice of Classification of Dog as a Menacing Dog - Section 33A, Dog Control Act 1996

Your Reference: 08105

Dog Description: 161669, Sahara, Cattle, Australian/Cross, Tan, Female spayed

This is to notify you* that this dog has been classified as a menacing dog under **Section 33A (2)** of the Dog Control Act 1996.

This is because the Taupo District Council considers this dog may pose a threat to any person, stock, poultry, domestic animal or protected wildlife because of:

- Observed or reported behaviour of the dog in that on the 05/06/2017 your dog Sahara did attack another dog.

A summary of the effect of the classification and your right to object is provided on the following page.

Yours faithfully

**Compliance Team
Taupo District Council
(CO-38)**

*For the purposes of the Dog Control Act 1996, you are the owner of a dog if—

- You own the dog; or
- You have the dog in your possession (otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, or damage, or distress, or for the sole purpose of restoring a lost dog to its owner); or
- You are the parent or guardian of a person under 16 who is the owner of the dog and who is a member of your household living with and dependent on you.

EFFECT OF CLASSIFICATION AS MENACING DOG
Section 33E 33F and 36A , Dog Control Act 1996

You:

- (a) must not allow the dog to be at large or in any public place or in any private way (other than when confined completely within a vehicle or cage) without the dog being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction; and
- (b) may be required to produce to the Taupo District Council, within 1 month after receipt of this notice, a certificate issued by a registered veterinary surgeon certifying—
 - (i) that the dog is or has been neutered; or
 - (ii) that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and
- (c) where a certificate under paragraph (b)(ii) is produced to the Taupo District Council, produce to the Taupo District Council, within 1 month after the date specified in that certificate, a further certificate under paragraph (b)(i).

You will commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you fail to comply with all of the matters in paragraphs (a) to (c) above.

A dog control officer or dog ranger may seize and remove the dog from you if you fail to comply with all of the matters in paragraphs (a) to (c) above. The officer or ranger may keep the dog until you demonstrate that you are willing to comply with paragraphs (a) to (c).

As from 1 July 2006, you are also required, for the purpose of providing permanent identification of the dog, to arrange for the dog to be implanted with a functioning microchip transponder. This must be confirmed by making the dog available to the Taupo District Council in accordance with the reasonable instructions of the Taupo District Council for verification that the dog has been implanted with a functioning microchip transponder of the prescribed type and in the prescribed location.

You will commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you fail to comply with this requirement—

- within 2 months from 1 July 2006 if your dog is classified as menacing on or after 1 December 2003 but before 1 July 2006; or
- within 2 months after the dog is classified as menacing if your dog is classified as menacing after 1 July 2006.

If the dog is in the possession of another person for a period not exceeding 72 hours, you must advise that person of the requirement to not allow the dog to be at large or in any public place or in any private way (other than when confined completely within a vehicle or cage) without the dog being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction. You will commit an offence and be liable on conviction to a fine not exceeding \$500 if you fail to comply with this requirement.

Full details of the effect of the classification of a dog as menacing are provided in the Dog Control Act 1996.

RIGHT OF OBJECTION TO CLASSIFICATION UNDER SECTION 33A
Section 33B, Dog Control Act 1996

You may object to the classification of your dog as menacing by lodging with the Taupo District Council a written objection within 14 days of receipt of this notice setting out the grounds on which you object.

You have the right to be heard in support of your objection and **will** be notified of the time and place at which your objection will be heard.