
**THE ROTORUA DISTRICT COUNCIL DOG CONTROL
BYLAW 1990, AMENDMENT NO. 1 1999**

ROTORUA DISTRICT COUNCIL

DOG CONTROL BYLAW 1990, AMENDMENT NO.1 1999

SPECIAL ORDER

That in exercise of the powers and authorities conferred upon it by the Local Government Act 1974, the Dog Control Act 1996 and all other powers and authorities so enabling it, the Rotorua District Council does by Special Order make this Bylaw and which shall be called the Rotorua District Council Dog Control Bylaw 1990, Amendment No. 1 1999

1. SHORT TITLE

This Bylaw may be cited as Rotorua District Council Dog Control Bylaw 1990, Amendment No. 1 1999

2. COMMENCEMENT

This Bylaw shall come into operation on 12th day of November 1999.

3. ENACTMENT

This Bylaw shall be read with and amend the Rotorua District Council Dog Control Bylaw 1990 and all amendments thereto (the Principal Bylaw).

4. AMENDMENTS

- [a] That under the heading of "Powers and Authorities" the words "The Dog Control and Hydatids Act 1982" are deleted and the words "*The Dog Control Act 1996*" are substituted therefor.
- [b] That "Clause 4 - Interpretation" of the Principal Bylaw is amended as follows:
- (i) The existing definition of the term "Act" is deleted and the following is substituted as a new definition:
"Act means the Dog Control Act 1996".
- (ii) The definition of the term "Control", as inserted by the Rotorua District Council Dog Control Bylaw 1990, Amendment No.1 1993, is amended by the insertion of the following additional words:
"It shall be a defence to any person being the owner of or in charge of a dog who is charged with an act or omission amounting to a breach of the requirement to have a dog on a leash in a public place if he/she proves that the dog is a "working dog" as defined in Section 2 of the Act and was, at the time of the alleged offence, being used for that purpose".

- (iii) The existing definition of the term "Dog Control Officer" is deleted and the following substituted as a new definition:
"Dog Control Officer means a Dog Control Officer appointed by the Council under Section 11 of the Act".
- (iv) The existing definition of the term "Dog Ranger" is deleted and the following substituted as a new definition:
"Dog Ranger means a Dog Ranger appointed by the Council under Section 12 of the Act"
- (v) The existing definition of the term "Owner" is deleted and the following substituted as a new definition:
"Owner shall have the same meaning as defined in Section 2 of the Dog Control Act 1996".
- (vi) The existing definition of the term "Working Dog" is deleted and the following substituted as a new definition:
"Working Dog shall have the same meaning as defined in Section 2 of the Dog Control Act 1996".
- [c] That the existing "Clause 8 - Fouling By Dogs" of the Principal Bylaw is deleted and the following substituted as a new Clause 8:

"8. Fouling By Dogs
Every Dog owner who fails to immediately remove from any public place or from any private property of which he/she is not the occupier, faeces deposited by his/her dog, commits an offence. If the dog owner places such faeces in a public litter bin or similar receptacle, the faeces must be wrapped or contained in order to prevent fouling of such litter bin or receptacle".
- [d] That the existing "Clause 10 - Aggravation of Dogs" of the Principal Bylaw is deleted and the following substituted as a new Clause 10:

"10. Aggravation of Dogs
Every person who, without lawful excuse, behaves or acts in such a way, or who uses a device so as to aggravate or cause distress to any dog in any public place, or on any private property, so that it becomes restive or unmanageable, commits an offence".
- [e] That "Clause 12 - Limitation of number of dogs on any land or premises" of the Principal Bylaw is amended by the deletion of the words "Urban Zone or Rural Zones 4 or 5 of the Rotorua District Scheme" and the substitution therefor of the words:
"Urban Fence or Rural E Zone or Rural D Zone as defined in the Rotorua District Plan".
- [f] That the "Fourth Schedule - Designated Dog Exercise Areas" as inserted by the Rotorua District Dog Control Bylaw 1990, Amendment No.1 1993, is amended by the deletion of the words:
"No. 6 Blomfield Street Reserve – Western perimeter Goldie Street/Pukehangi Road" from the list of Dog Exercise Areas.

- [g] That the "Fourth Schedule - Designated Dog Exercise Areas" as inserted by the Rotorua District Dog Control Bylaw 1990, Amendment No.1 1993, is further amended by the insertion of the following additional Dog Exercise Areas:

"16. Corlett Street Reserve

Access from Corlett or Konene Streets

17. Linton Park West

18. Morey Street Reserve

Access from Morey Street

19. Jackson Park

Excluding all playground areas and sportsfields within the reserve.

Access from Springfield and Otonga Roads and McDowell Street

20. Boyes Beach Reserve

Between dawn and dusk from 1 April to 30 September each year.

21. Hannahs Bay Reserve

Excluding that part of the Reserve situated to the West of the North-Eastern drain and bounded by the lake foreshore to the North, Willow Avenue to the West and the wetland area to the South, and further excluding all playground areas and all barbecue areas within the reserve and excluding that area used by the Rotorua Pony Club for events when an organised event is in progress.

22. Devon Street West/Utuhina Stream Reserve

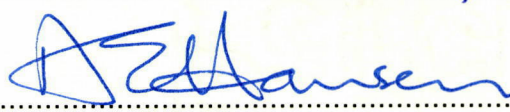
Including that part of the reserve located between Devon Street West (opposite the International Stadium and associated playing fields) and the banks of the Utuhina Stream, as is more particularly described by signs at the reserve."

The foregoing Bylaw was made by Special Order passed at an Ordinary Meeting of the Rotorua District Council held on Tuesday 21st September 1999 and meanwhile having been publicly notified in the Rotorua "Daily Post" newspaper by advertisements appearing on Saturday 2nd October and Saturday 23rd October and was duly confirmed at a subsequent Ordinary meeting of the Rotorua District Council held on Tuesday 2nd November 1999

THE COMMON SEAL of the)
ROTORUA DISTRICT COUNCIL)
was hereto affixed in the presence of:)

.....  Mayor

.....  Councillor

.....  District Manager

