



Attachment

Mandatory conditions for regulated menacing or dangerous dogs

The following document details the mandatory conditions for keeping a dog which has been declared menacing or dangerous under the *Animal Management (Cats and Dogs) Act 2008* and *Local Law 2 Animal Management Act 2011*.

1. Desexing (Dangerous dogs only)

The owner of a declared dangerous dog must ensure it is desexed within 3 months after the dog is declared as dangerous unless desexing is likely to be a serious risk to the dog's health.

The maximum penalty for not having your dog desexed is 150 penalty units, under the *Animal Management (Cats and Dogs) Act 2008, section 70*.

2. Identification

The owner of a declared dangerous or menacing dog must ensure the dog

- is implanted with a Prescribed Permanent Implantation Device (PPID, aka microchip) within 28 days of this declaration

The maximum penalty for not implanting with a PPID is 75 penalty units, under the *Animal Management (Cats and Dogs) Act 2008, section 97 and 214*.

3. Collar

The owner of a declared dangerous or menacing dog must ensure the dog

- at all times, wears the council issued prescribed collar and identification tag. The tag must be engraved with your current contact telephone number or a responsible persons telephone number

The maximum penalty for not wearing the prescribed collar is 50 penalty units, under *Local Law 2 Animal Management Act 2011, section 9A*

The maximum penalty for not wearing the issued council tag is 75 penalty units, under the *Animal Management (Cats and Dogs) Act 2008, section 97 and 214*.

4. Muzzling and effective control

A declared dangerous or menacing dog must not be in a place that is not the place stated on its registration notice unless it is:

1. Muzzled (dangerous dogs only), and
2. Under the *effective control** of someone who has the control of no more than one dog at the same time

*Effective control means:

A declared dangerous or menacing dog is under the *effective control* of someone only if—

- (a) an adult who is physically able to control the dog—
 - (i) is holding it by an appropriate leash; or

(ii) has appropriately tethered it to an object fixed to a place from which the object cannot be moved by the dog and is continuously supervising the dog; or

(b) the dog is participating in, or being exhibited or trained at, an exhibition or an obedience trial supervised by a body recognised for this section by the relevant local government.

A dog is held by an appropriate leash or appropriately tethered only if the leash or tether is of the dimensions, quality and type that are appropriate to restrain the dog and ensure it is not a risk to community health or safety.

The maximum penalty for not having your dog muzzled and/or under effective control is 75 penalty units, under the *Animal Management (Cats and Dogs) Act 2008, section 97*.

5. Enclosure

The owner of a declared dangerous or menacing dog must ensure

1. The dog, unless there is a reasonable excuse, be usually kept in the enclosure
2. An enclosure for the dog must be maintained at or on the address in the registration notice for the dog and must be childproof and stop the dog from leaving the enclosure. The enclosure must:
 - allow access to the front entrance of the house so that a member of the public seeking access to the front entrance does not have to enter the enclosure
 - be at least 10m² and must not include any area that is a swimming pool or area surrounding a swimming pool or all or part of a building usually used for residential purposes
 - have walls at least 1m high above ground level if the dog is 8kg or less or walls at least 1.8m high above ground level if the dog is more than 8kg
 - consist of firm and strong materials with walls designed to prevent children from climbing into the enclosure. The walls may include a perimeter fence for the relevant place or an exterior wall of a structure if it complies with all other requirements of the enclosure
 - include a weatherproof sheltered area appropriate for the dog
 - include a gate which must be childproof, self-closing and self-latching; and comply with the requirements for the enclosure and which must not be a vehicle access gate
 - the enclosure may have another gate that is not self-closing and self-latching if it is not a vehicle gate, complies with requirements for the enclosure and is kept securely locked whenever it is not in immediate use

The maximum penalty for failing to ensure the enclosure is to these standards is 75 penalty units, under the *Animal Management (Cats and Dogs) Act 2008, section 97*.

6. Public notice

The owner of a declared dangerous or menacing dog must ensure the council issued "Beware Dangerous Dog" or "Beware Menacing Dog" sign be placed at or near each entrance to the relevant place where the dog is usually kept, notifying the public that a declared dangerous or menacing dog is kept at the place.

The maximum penalty for not displaying signage is 75 penalty units, under the *Animal Management (Cats and Dogs) Act 2008, section 97*.

7. Place where dog is usually kept

The declared dangerous or menacing dog must not be in a place that is not the place stated on its registration notice.

The maximum penalty for this offence is 75 penalty units, under the *Animal Management (Cats and Dogs) Act 2008, section 97*.

8. Notice of change of address

The owner of a declared dangerous or menacing dog must advise the local government of any change in their residential address within 7 days after making the change. If the new residential address is in another local government area, they must also give notice to the other local government.

The maximum penalty for not notifying the local government of your change of address is 75 penalty units, under the *Animal Management (Cats and Dogs) Act 2008, section 97*.

Other important laws for keeping a declared dangerous or menacing dog

The dog cannot be sold, given away or exchanged

The owner of, or responsible person for, a dangerous or menacing dog must not supply the dog to someone else unless:

- the person gives the other person a notice stating that the dog is a dangerous or menacing dog or
- the person has a reasonable excuse

The maximum penalty for this offence is 150 penalty units under the *Animal Management (Cats and Dogs) Act 2008*, section 67.

The dog cannot be abandoned

The owner of, or a responsible person for, a declared dangerous or menacing dog must not **abandon** it unless the owner or responsible person has a reasonable excuse.

Abandon includes leave for an unreasonable period, having regard to community health and safety.

The maximum penalty for this offence is 300 penalty units under the *Animal Management (Cats and Dogs) Act 2008*, section 68.

The dog cannot be bred (dangerous dogs only)

A person must not give, or take, possession of a declared dangerous dog for the purpose of allowing it to breed with another dog.

The owner of, or a responsible person for, a declared dangerous dog must not allow or encourage the dog to breed with another dog.

The maximum penalty for these offences is 150 penalty units under the *Animal Management (Cats and Dogs) Act 2008*, section 69.

The owner must keep their address up to date

If the owner of a regulated dangerous or menacing dog changes residential address, they must give the Sunshine Coast Council notice of your new residential address within 7 days after making the change.

If the new residential address is in another local government's area, you must also give the notice to the other local government.

The maximum penalty for this offence is 75 penalty units under the *Animal Management (Cats and Dogs) Act 2008*, section 97.

The owner must comply with all other relevant laws

The owner must comply with all other relevant laws for keeping a dog. This includes Local Laws and State Legislation. Penalties may apply for failure to comply with these laws.