



Attachment

Mandatory conditions for a Declared Dangerous Dog

The following document details the mandatory conditions for keeping a dog which has been declared dangerous under the *Animal Management (Cats and Dogs) Act 2008*

1. Desexing

As the owner of a declared dangerous dog you must ensure it is desexed within 3 months after the dog is declared as dangerous unless desexing is likely to be a serious risk (Vet report required) 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

As the owner of a declared dangerous dog you must ensure your dog

- is implanted with a Prescribed Permanent Implantation Device (PPID) 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 and tag

As the owner of a declared dangerous dog you must ensure your dog

- at all times, wears the council issued prescribed collar and identification tag. The tag must be engraved with your current 24 hour contact telephone number or a responsible persons 24 hour 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

Your declared dangerous dog must not be in a place that is not the place stated on the dog's registration notice unless it is:

1. Muzzled, 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 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 can not 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

As the owner of a declared dangerous dog you must ensure

1. Your dog, unless there is a reasonable excuse, be usually kept in the enclosure
2. An enclosure for your 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
- 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
- the exterior of the walls of the enclosure must be designed to prevent a child from climbing over, under or through the walls into the enclosure
- the wall of the enclosure must be designed to prevent the dog, or part of the dog, from protruding over, under or through the enclosure
- 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 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

As the owner of a declared dangerous dog you must ensure the council issued "Beware Dangerous Dog" sign be placed at or near each entrance to the relevant place where your dog is usually kept, notifying the public that a declared dangerous dog is kept at the place. If you require more than one sign please advise the Sunshine Coast Council as soon as practicable.

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

Your declared dangerous dog must not be in a place that is not the place stated on the dog's 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

As the owner of a declared dangerous dog you must advise the local government of any change in your residential address or your dog's kept at address within 7 days after making the change. If the new addresses are in another local government area, you 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 dog

You cannot sell, give away or exchange your dog

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

- the person gives the other person a notice stating that the dog is a dangerous 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*.

You cannot abandon your dog

The owner of, or a responsible person for, a declared dangerous 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*.

You cannot breed your dog

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*.

You must keep your address up to date

If you change residential address, you 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*.

You may surrender your dog

An owner of a declared dangerous dog can surrender it to the relevant local government. On surrender the dog becomes the local government property.

Under the *Animal Management (Cats and Dogs) Act 2008, section 100*.

Annual registration fees application for a regulated dangerous dog

An annual registration fee is applicable.

The maximum penalty for this offence is 20 penalty units, under the *Animal Management (Cats and Dogs) Act 2008, section 57*.

You must comply with all other relevant laws

You 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.

More information

If you have any questions about the keeping of a declared dangerous dog please contact Sunshine Coast Council on 07 5475 7272.