

SOUTH WAIRARAPA DISTRICT COUNCIL

15 MAY 2019

AGENDA ITEM C3

PROPOSED NEW DOG CONTROL FEES

Purpose of Report

To seek approval of the proposed dog control fees for the 2019/2020 financial year as outlined in the Annual Plan consultation document. Approval of the proposed dog control fees is sought prior to the Annual Plan being approved, to allow officers adequate time to notify registration information for the 2019/2020 financial year to meet the requirements of the Dog Control Act 1996.

Recommendations

Officers recommend that the Council:

1. *Receive the Proposed New Dog Control Fees.*
2. *Approve the proposed dog control fees for the 2019/2020 financial year.*
3. *Give notice of fees for registration of dogs by public notification no less than one month prior to the new fees taking effect.*

1. Executive Summary

A Council resolution is required under section 37 of the Dog Control Act 1996 (DCA) in order to approve the fees relating to the registration and control of dogs.

The proposed changes have been published as part of the annual plan consultation process.

One month prior to the start of each registration year (commencing 1 July) Council is required to publicly notify in a newspaper circulating in the district the approved dog control fees.

Given that the annual plan is not scheduled to be approved until 26 June 2019, a resolution approving the dog fees is required before this point in time in order to comply with the public notification requirements.

In addition, the prior earlier approval of the dog control fees assists officers with preparing the necessary administrative tasks for the new registration year.

2. Background

As noted earlier, section 37 (Appendix 1) of the DCA provides that Council is required to approve fees levied for dog registration and council by resolution.

Section 37 also provides what fees may be charged for and matters that shall be considered prior to approving fees.

Specifically section 37(4) outlines that Council shall have regard to the relative costs of the registration and control of dogs. This includes considering "such other matters as the territorial authority considers relevant".

The Councils Revenue and Financing Policy provides that dog fees will be partially funded by dog owners and partially funded by rate payers due to the distribution of benefits between public and private good. These fees are set based on the 60-70% private good and 30-40% public good split as per the Revenue and Financing Policy agreed as part of the Long Term Plan process.

Activity	Community Outcomes	User/Beneficiary pays principle	Intergenerational equity principle	Exacerbator pays *	Costs and benefits	Distribution of benefits		Rationale	Funding
						Private	Public		Operational
Governance/Leadership/Advocacy									
Representing the community	Vibrant and strong communities, Sustainable South Wairarapa	NIL	NIL	L	L	0%	100%	The democracy process is available to all residents and ratepayers, therefore all ratepayers benefit from this activity	General rate & Reserve Funding
Public Protection									
Protection of public health	Healthy & economically secure people	M	NIL	M	M	70-80%	30-20%	Council has a statutory obligation to enforce public health legislation	Fees & Charges General Rate
Noise control and enforcement		NIL	NIL	H	L	10%	90%	Ability to charge for monitoring and recover other costs	Fees & Charges General Rate
Building consents and enforcement including swimming pool inspections		H	NIL	L	M	80-90%	20-10%	Council has a statutory obligation to enforce the Building Act	Fees & Charges General Rate
Dog and animal control		L-M	NIL	H	L	60-70%	40-30%	For dog control the urban community receive a higher benefit than the rural community, while for animal control the rural community receives a higher benefit than urban	Fees & Charges General Rate

These fees are outlined in the Annual Plan consultation document and included as appendix 2.

3. Governance Considerations

The proposed dog control fees have been included as part of the Annual Plan consultation document which is available for public submissions. Public submissions closed on 8 May 2019. Hearings and deliberations for the annual plan process are scheduled for the end of May with final adoption of the Annual Plan scheduled for 26 June 2019.

At the time of writing, submissions to the annual plan had just closed and there have been only two processed that oppose the new proposed dog fees for the 2019/20 financial year.

4. Conclusion

In summary, officers recommend that the proposed fees for dog registration and control be approved for the 2019/2020 financial year.

Officers will prepare public notification of the new fees no later than one month prior to the start of the new registration year.

5. Appendices

Appendix 1 – Section 37 Dog Control Act 1996

Appendix 2 – Proposed Dog Fees 2019/2020 Year

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Appendix 1

Section 37 Dog

Control Act 1996

37 Territorial authority to set fees

- (1) The dog control fees payable to a territorial authority shall be those reasonable fees prescribed by resolution of that authority for the registration and control of dogs under this Act.
- (2) Any resolution made under subsection (1) may—
 - (a) fix fees for neutered dogs that are lower than the fee for dogs that have not been neutered:
 - (b) fix fees for working dogs that are lower than the fee for any other dog, and may limit the number of working dogs owned by any person which qualify for lower fees under this section:
 - (c) fix different fees for the various classes of working dogs:
 - (d) fix fees for dogs under a specified age (not exceeding 12 months) that are lower than the fee that would otherwise be payable for those dogs:
 - (e) fix, for any dog that is registered by any person who demonstrates to the satisfaction of any dog control officer that that person has a specified level of competency in terms of responsible dog ownership, a fee that is lower than the fee that would otherwise be payable for that dog:
 - (f) fix by way of penalty, subject to subsection (3), an additional fee, for the registration on or after the first day of the second month of the registration year or such later date as the authority may fix, of any dog that was required to be registered on the first day of that registration year:
 - (g) fix a fee for the issue of a replacement registration label or disc for any dog.
- (3) Any additional fee by way of penalty fixed under subsection (2)(f) shall not exceed 50% of the fee that would have been payable if the dog had been registered on the first day of the registration year.
- (4) In prescribing fees under this section, the territorial authority shall have regard to the relative costs of the registration and control of dogs in the various categories described in paragraphs (a) to (e) of subsection (2), and such other matters as the territorial authority considers relevant.
- (5) Where any 2 or more territorial authorities have formed a joint standing or joint special committee in accordance with section 7, the resolution of that committee under subsection (1) may fix different fees in respect of dogs kept in the different districts, having regard to the costs of registration and dog control in the districts concerned.
- (6) The territorial authority shall, at least once during the month preceding the start of every registration year, publicly notify in a newspaper circulating in its district the dog control fees fixed for the registration year.
- (7) Failure by the territorial authority to give the public notice required by subsection (6), or the occurrence of any error or misdescription in such public notice, shall not affect the liability of any person to comply with this Act or to pay any fee that is prescribed by the territorial authority under subsection (1).
- (8) No increase in the dog control fees for any year shall come into effect other than at the commencement of that year.
- (9) This section shall come into force on the day on which this Act receives the Royal assent.

Appendix 2
Proposed Dog
Fees 2019/20
year

Dog Registration		Current Fees	Proposed 2019/20
		\$	
General Fees			
Desexed	Urban	\$75.00	\$77.00
	Rural	\$42.00	\$43.00
Entire	Urban	\$105.00	\$108.00
	Rural	\$64.00	\$66.00
Late Fees Desexed	Urban	\$112.50	\$115.00
	Rural	\$63.00	\$65.00
Late Fees Entire	Urban	\$157.50	\$160.00
	Rural	\$96.00	\$98.00
Other Fees		2019/20	
Flat fee for up to 10 Rural Dogs plus \$20 per additional dog	Flat fee for up to 10 Rural Dogs plus \$21.50 per additional dog	\$210.00	\$215.00
Late flat fee for up to 10 rural dogs plus \$30 per additional dog	Late flat fee for up to 10 rural dogs plus \$32 per additional dog	\$300.00	\$308.00
Surrender a dog for euthanasia		\$30.00	\$35.00
Permit application to keep more than two dogs in an urban area including breeder		\$140.00	\$144.00
Re-homing fee for impounded dogs		\$30.00	\$35.00
Costs and expenses relating to impounding and securing impounded dogs		Actual cost plus 10%	Actual cost plus 10%
Replacement registration tag (if tag lost or damaged)		\$7.50	\$8.00
Bark Control Collars		Actual cost plus 10%	Actual cost plus 10%
Impounding Fees			
First Impounding		\$80.00	\$80.00
Second Impounding		\$170.00	\$170.00
Third Impounding		\$265.00	\$270.00
Feeding (per day)		\$25.00	\$25.00

