

# NOTICE OF CLASSIFICATION



Tauranga City

## Menacing dog classification – Section 33A, Dog Control Act 1996 (behaviour of the dog)

Date 19/1/2023 CCM 1034725  
Name DENESE DIANE KONOWE  
Address 12 JACOB STREET BROOKFIELD  
TAURANGA 3110

### DELIVERY CONFIRMATION

Recipient name  
Signature  
Date Time  
Served by  
Signature

### Dog details

Dog ID	47640	Primary breed	BORDER COLLIE
Microchip No	934*0000*9020*2792	Secondary breed	HEADING
Name	FIORA (FI)	Primary colour	WHITE
Sex	FEMALE	Secondary colour	BLACK
Age	5 yrs 6 mths		
Address where the dog is kept	12 JACOB STREET		

### Classification details

This is to notify you that this dog has been classified as a menacing dog under section 33A of the Dog Control Act 1996 with effect from the date of this notice.

This is because Tauranga City Council considers that the dog may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife, because of observed or reported behaviour of the dog, namely: On Saturday 31 December 2022, at approximately 8:00pm, Fiora (Fi) did attack a person walking on Eden Crescent.

A summary of this classification and your right to object is provided on the reverse. Objections must be in writing and can be sent to the addresses provided or delivered to the Tauranga City Council Service Centre.

### Classification requirements

**Neutering:** Your dog must now be neutered, and you must provide a veterinary certificate as proof thereof within one month of receipt of this notice.

**Microchip:** Your dog is already microchipped; you are compliant with this requirement.

**Muzzle:** Your dog must now be muzzled when it is at large or in any public place or private way, and it must be kept under control at all times.

The required documents can be sent by mail to: Animal Services, Tauranga City Council, Private Bag 12022, Tauranga 3143, New Zealand or by email to: [dog.registration@tauranga.govt.nz](mailto:dog.registration@tauranga.govt.nz)

### ADDITIONAL INFORMATION

Signature

Dated: 19 January 2023

Name

Brent Lincoln

Position

Animal Services Team Leader

## **EFFECT OF CLASSIFICATION AS A MENACING DOG**

### ***Sections 33E, 33F and 36A Dog Control Act 1996***

- a) You must not allow your dog to be at large or in any public place or in any private way, except when confined completely within a vehicle or cage, without 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) You must produce to Tauranga City Council within one 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 certified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and
- c) If your dog is not fit to be neutered before a specific date as mentioned above, then you must produce to Tauranga City Council within one month after that specified date, 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 any of the matters in paragraphs (a) to (c) above. In addition, a dog control officer or dog ranger may seize and remove the dog from you and keep the dog until you demonstrate that you are willing to comply with paragraphs (a) to (c) above.

**If applicable**, if not already microchipped, 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 Tauranga City Council in accordance with the reasonable instructions of Tauranga City 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 after this notice.

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 classification as a menacing dog 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 Tauranga City 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 the objection and will be notified of the time and place at which your objection will be heard.

All objections must be in writing and can be sent via email to [dog.registration@tauranga.govt.nz](mailto:dog.registration@tauranga.govt.nz) or by mail to: **Animal Services, Private Bag 12022, Tauranga 3143, New Zealand.**

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