

10. DOG REGISTRATION FEES

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PURPOSE OF REPORT

1. The purpose of this report is to consider proposed dog registration and related fees to recover the cost of dog and stock control and enforcement for the 2006/07 financial period.

EXECUTIVE SUMMARY

2. The Dog Control Act 1996 requires that:
 - 2.1 All dogs of greater age than three months be registered by 1 July each year with the authority in whose district the dog is ordinarily kept and, in the case of a young dog reaching registerable age after 1 July, before it attains the age of three months.
 - 2.2 The fees for dog registration set by an authority be publicly notified in a newspaper circulated within its district at least once in the month prior to the commencement of the registration year. (Reference Appendix 1 attached)
3. It has been the common practice of territorial authorities to send to each known dog owner in their area, an application form for dog registration by way of a reminder that registration is due. In Christchurch these forms are pre-printed with the dog and owner details, and also show the dog registration fees and other owner information required by the Dog Control Act 1996.
4. While the responsibility to register a dog rests with its owner and the Council is not required to post application forms, it is considered an advantage to do so in the effort to have dogs registered by 1 July each year.
5. It is intended that the total dog registration fee payable by each owner continue to be printed on the registration application form, and that dog registration information and the owner's legal responsibilities be also sent with the application form.
6. The Government's introduction of the national dog database and the micro-chipping of certain dogs, together with issues relating to the previous Banks Peninsula District Council, are included within the body of this report.

FINANCIAL AND LEGAL CONSIDERATIONS

7. The Dog Control Act 1996 requires dog owners to have their dogs micro-chipped in accordance with Section 36A, and in accordance with section 69A of the same Act the territorial authority shall micro-chip dogs prior to release from the dog shelter. Financial provision of \$25,000 in the 2005/06-capex budgets has been provided for the purchase of micro-chip equipment.
8. Section 35b of the Dog Control Act 1996 imposes a levy on territorial authorities in each financial year to fund the costs of maintaining the national dog database. This levy is currently calculated at \$32,888 for the Christchurch City Council for the 2006/07 period. This amount has already been provided for in the 2006/07 expenditure budget and with approximately 30,000 dogs this equates to \$1.10 per dog.
9. The Fourth Schedule of the Act lists the breeds and types of dogs that are banned from importation and which must wear a muzzle. Section 33C of the Act requires the Council to classify such breeds and types of dogs as menacing. Dogs classified as either dangerous or menacing from 1 December 2003 must be implanted with a micro-chip transponder within two months of 1 July 2006, as do dogs registered for the first time from 1 July 2006.

10. The Act also requires territorial authorities to micro-chip unregistered dogs that have been impounded on two or more occasions prior to their release from the shelter.
11. The period of 2002/03 was the last time the Council approved an increase in dog registration fees, this increase was \$10 per dog.

STAFF RECOMMENDATION

It is recommended that the Council adopt Option 1 as outlined in the report.

BACKGROUND AND ISSUES ON DOG REGISTRATION FEES

Dog Registration Policy

12. The Council on 23 April 1997 resolved:
- (a) That the Responsible Dog Ownership category be continued with a suitable concessionary fee as resolved by the Council from time to time.
 - (b) That the Council consider a considerable concessional neutering or spaying fee annually. This fee to be less than the standard registration fee, but greater than the Responsible Dog Owner fee. This to be a sufficiently large concession on the standard registration fee to give a strong incentive to neuter or spay the dog. The concession is to be provided from the Dog Control Account.
 - (c) That where a dog is released from the Council's dog shelter to a new owner, the new owner no longer be required to pay a standard release fee, but be required to pay the cost of registration (see note below).
 - (d) That where a dog is claimed by its owner from the Council's dog shelter, the dog will not be released from the shelter until all fees and charges have been paid or appropriate arrangements for payment made.

Note: Subsequently the Council at its meeting on 26 August 1999 adopted the recommendation to restore the standard release fee to release a dog to a new home. A standard release fee has been submitted as part of the recommended fee structure for 2006/07.

Banks Peninsula District Council policies

13. The previous Banks Peninsula District Council had a number of dog-related policies. For continuity and ease of administration, these should be discontinued after 30 June 2006. These include:
- (a) Selected Owner Policy – The criteria for being granted this status was set by the Council based on a good record of compliance with legislative requirements over at least two years, ownership of a dog in the district for at least one year and a means of containment of the dog(s) on the owner's property. This policy is very similar to the Christchurch City Responsible Dog Owner policy.
 - (b) Neutering dog policy – This policy provided a reduced fee for neutered and spayed dogs. This reduction acted as an incentive for owners to neuter dogs as neutering and spaying reduces the tendencies towards wandering and aggressive behaviour. A veterinarian's certificate will be required to establish proof of neutering or spaying. The Christchurch City Council provides an annual fee reduction of \$10 for dogs that have been neutered or spayed.
 - (c) Rural dogs – A reduced fee was set for dogs outside settlement areas in the district. This has been because historically most complaints have been generated by the actions of dogs at large in urban or semi urban areas. The rural dog fee, for the enlarged Christchurch City Council, is added for information in the body of this report.

Responsible Dog Ownership

14. Provision has again been made to allow for concessionary fees for those persons having been granted responsible dog owner status, in accordance with the criteria previously adopted by the Council. (Reference Appendix 1 attached)
15. The fee structure suggested rewards those granted the above status with a generous financial concession, with the second and subsequent dogs registered by the same owner receiving a greater concession than the first. To claim the concessionary fees, owners are required to register their dogs by 30 June each year.

16. There was insufficient time from the date of amalgamation, 6 March 2006, to have every Banks Peninsula dog owner complete the responsible dog ownership application form. Therefore, each Banks Peninsula dog owner with "Selected Owner Policy" status can (when the SOP status is deleted) be automatically granted "Responsible Dog Owner" Status (as specified under the current Christchurch City dog control policy) and receive the financial benefits that these other dog owners receive. These dog owners will be requested to complete a responsible dog owner application form. This application form requires the owner to correctly complete a questionnaire of dog ownership knowledge and agree to the status conditions (refer Appendix 2 attached).
17. Notwithstanding the fee advantage they may receive, a dog owner holding the responsible dog owner status who does not register their dog by the date required, has breached a status condition and stands to lose their status for up to two years.

Neutering/Spaying Concession

18. Of the 28,608 dogs currently on record, 16,678 are recorded as being neutered or spayed. While some owners may have been encouraged by the concession to have their dog neutered, the concession has mainly been a bonus for dog owners who may have had this procedure conducted on their dog anyway. No additional concession is offered to holders of responsible dog owner status where their dog/s are neutered or spayed.

Funding Policy

19. The Council continues to apply the 8% funding contribution from rates that reflects the "community good" towards the control and enforcement of dogs within the city. Considering the impact some high profile dog attacks have had on the community, it is appropriate this funding continue.

Micro-chipping of Dogs

20. As at 1 July 2006, in accordance with section 36A of the Dog Control Act 1996, a micro-chip transponder must be implanted in a dog that:
 - (a) is classified as dangerous under section 31 on or after 1 December 2003; or
 - (b) is classified as menacing under section 33A or section 33C on or after 1 December 2003; or
 - (c) is registered for the first time on or after 1 July 2006.

Dogs registered before 1 July 2006 are not required to be micro-chipped.

21. Additionally, in accordance with section 69A of the Dog Control Act 1996, dogs impounded must be micro-chipped and registered before release:
 - (1) A registered dog that has been impounded by a territorial authority under this Act may not be released to any person (other than for the purposes of destroying it) without first being implanted with a functioning micro-chip transponder of the prescribed type and in the prescribed manner.
 - (2) Subsection (1) does not apply to a registered dog that has been impounded by the territorial authority for the first time.

Cost of Non-Compliance

22. Section 36A of the Act requires a dog that has been classified as dangerous under section 31 of the Act to be micro-chipped. Where the owner of this dog fails to comply with this requirement and does not have the dog micro-chipped within the two months, there is a cost in terms of enforcement action against that owner for that non-compliance.
23. Like most enforcement issues, the cost of non compliance is very high and estimates show that the cost of non compliance of a breach of this section of the Act (micro-chipping of dogs) which are unrecoverable from this owner, are approximately \$100 per dog.

24. These costs are derived from: Administrative roles including - the extraction of data identifying the non compliance, posting of non compliance letters, follow up letters – including postage, allocation of officers' investigation, field officers' time to complete a property visits ensuring compliance is/isn't being met, issue of infringement notices, typing of infringement notices and follow up enforcement action of notices in the courts.
25. Similar costs would be involved in dealing with non-compliance of menacing dogs and dogs registered for the first time. Animal control officers are currently being trained as micro-chip inserters and will be able to offer this service to dog owners.

Working Dog Fee Category

26. The Christchurch City Council has not had a working dog fee category for 15 years.
27. The Banks Peninsula District Council provided a 50% subsidy from rates to fund the dog control activities. The expanded Christchurch City Council should adopt the same funding policy as mentioned in paragraph 19 and fund the Dog Control account by 8%. This will lead to an increase in fees charged to dog owners of the former Banks Peninsula District Council.

Working dogs – extract from the Dog Control Act 1996

28. The Dog Control Act 1996 refers to a working dog in relation to farms as: *(ii) Kept solely or principally for the purposes of herding or driving stock.*
29. Because of the rural nature of the previous Banks Peninsula District Council, it seems appropriate that the Council consider a new "working dog fee" category to address the needs of all rural dog owners.
30. There was insufficient time from the date of amalgamation, 6 March 2006, to have every farm property within the new Christchurch City Council area inspected to identify which dogs were "working dogs" and which dogs were pet dogs living in rural areas.
31. Therefore, dog registration data was examined and dog identified as likely to be used for "working" purposes, this data was extracted and these dogs can be granted a "working dog" status. Other owners whose dogs may qualify will be able to apply for this category at registration time.
32. In order to equate the benefits applied to former Banks Peninsula "rural" dogs with the Christchurch City fee structure, all former Banks Peninsula "rural" dogs not used exclusively as a "working dog" will assume the Responsible Dog Owner Status category.
33. Dogs in the "working dog" (a) category – guide dog, hearing ear dog or companion dogs. The Council's policy has been to exempt these dogs from any fees.
34. Over the next two years, officers will conduct annual property (farm or other premises) inspections to clearly establish those dogs used exclusively for working purposes (as defined by the Act) and those that are in fact pet dogs, which are outside of these criteria.
35. Estimates show that approximately 100 dogs within the Christchurch City Council area and 700 dogs within the Banks Peninsula District area could be affected by this category change. Because these figures are estimates, it is anticipated that only a small financial impact in revenue would result. This impact is 100 dogs @ \$47.00 = \$4700 and 200 dogs @ \$22.00 = \$4400 and 500 dogs @ \$16.00 = \$8000, a total of \$17,100 revenue.
36. Based on the same figures at the approved option 1 fees of 230 dogs @ \$25.00 = \$5750 and 570 dogs @\$20.00 = \$11400, a total of \$17150 revenue.

Dog Registration Fee Comparisons

	Current				Proposed	
	CCC		BPDC		New CCC	
	Fees	Numbers	Fees	Numbers	Fees	Numbers
Standard dog fee	\$80	4356	\$50	471	\$85	4827
Desexed dog fee	\$70	6535			\$75	6535
Responsible dog owner						
1st dog	\$47	13911			\$52	13911
2nd and subsequent dog fee	\$32	3382			\$37	3382
Selected owner policy fee						
1st dog			\$30	131	\$52	131
2nd and subsequent dog fee			\$20	54	\$37	54
Rural dog fee						
1st dog			\$22	356	\$25	356
2nd and subsequent dog fee			\$16	513	\$20	513
Dangerous dog fee	\$120	47	\$75	2	\$120	49

Dangerous Dog Registration fee

37. Section 32(1)e of the Dog Control Act 1996 requires that the fee for a dog classified as "dangerous" shall be 150% of the fee that would apply if the dog were not classified as a dangerous dog. The Council currently has 49 dogs on its records that are classified as dangerous.

Stock Control

38. The cost of undertaking stock ranging and stock pound activities are required to be paid from rates and the net cost budgeted for the 2005/06-year was \$45,694.00. For the 2006/07 year this is budgeted to be \$45,000
39. Costs associated with stock ranging and the stock pound cannot be charged to the Dog Control Account.

ASSESSMENT OF OPTIONS

Option 1

- Provides for a **\$5 increase** across every known dog in the city for the 2006/07 period.
 - This increase includes the \$1.10 levy that the Council collects from dog owners for the maintenance of the national dog database.
 - This increase also covers the anticipated additional fuel costs, inflation and the additional costs of animal control and enforcement.
 - This increase meets the 2006/07 expenditure budget requirements.
- **Micro-chipping** – This increase will enable the Council to also provide free micro-chipping of those dogs that are required to be micro-chipped in accordance with sections 36A and 69A of the Act and any other dogs as owners require.
- **Penalty fee** - For the 2006/07 year it is proposed to apply a penalty fee to the registration of a dog that should have been registered by 1 July, but is not registered more than one month later (after 1 August). The penalty fee is limited to a maximum of 50% of the fee that would have been payable on the first day of the registration year. For 2006/2007 a penalty fee of \$30.00 per dog is recommended.

- **Working dog** - This category fee for those dogs as defined in the Dog Control Act 1996 "working dog" - subsection (b). This category has not been a component of the Council's fee structure in recent times, however, owing to the large increase in "working dogs" in the previous Banks Peninsula District Council's area. This category is recommended. Dogs in the Banks Peninsula District Council previously paid \$22 for the first dog and \$16 for subsequent dogs under the "rural dog" category. It is recommended that the registration fee for working dogs be \$25 for the first dog and \$20 for subsequent dogs under the "working dog" category.

Option 2

- Provides for a **\$3 increase** across every known dog in the city for the 2006/07 period.
 - This increase includes the \$1.10 levy that the Council collects from dog owners for the maintenance of the national dog database.
 - This increase also covers the increase in fuel costs, increase in corporate overheads, inflation and the additional costs of animal control and enforcement.
 - This increase excludes (micro-chipping) of dogs, which will have to be met directly by those dog owners affected by this legislation change.
 - This increase meets the 2006/07 expenditure budget requirements.
- **Micro-chipping** - Trained animal control officers can insert micro-chips in dogs and will be able to provide this service at \$20 for the first dog and \$12 each subsequent dog on a cost recovery bases.
- **Penalty fee** - For the 2006/07 year it is proposed to apply a penalty fee to the registration of a dog that should have been registered by 1 July, but is not registered more than one month later (after 1 August). The penalty fee is limited to a maximum of 50% of the fee that would have been payable on the first day of the registration year. For 2006/07 a penalty fee of \$30 per dog is recommended.
- **Working dog** - This category fee for those dogs as defined in the Dog Control Act 1996 "working dog" - subsection (b). This category has not been a component of the Council's fee structure in recent times, however, owing to the large increase in "working dogs" in the previous Banks Peninsula District Council's area. This category is recommended. Dogs in the Banks Peninsula District Council previously paid \$22 for the first dog and \$16 for subsequent dogs under the "rural dog" category. It is recommended that the registration fee for working dogs be \$25 for the first dog and \$20 for subsequent dogs under the "working dog" category.

Option 3

- Provides for a **\$1.10** increase across every known dog in the city for the 2006/07 period.
 - This increase is the Government levy that the Council collects from dog owners for the maintenance of the national dog database.
 - In addition to this increase, another increase of \$5.75 for the standard dog category registration fee, this will mean a total increase of \$6.85 for "standard dog" category owners for the period.
 - This increase also covers the increase in fuel costs, increase in corporate overheads, inflation and the additional costs of animal control and enforcement.
 - This increase excludes (micro-chipping) of dogs, which will have to be met directly by those dog owners affected by this legislation change.
 - This increase meets the 2006/07 expenditure budget requirements.

- **Micro-chipping** - Trained animal control officers can insert micro-chips in dogs and will be able to provide this service at \$20 for the first dog and \$12 each subsequent dog on a cost recovery bases.
- **Penalty fee** - For the 2006/07 year it is proposed to apply a penalty fee to the registration of a dog that should have been registered by 1 July, but is not registered more than one month later (after 1 August). The penalty fee is limited to a maximum of 50% of the fee that would have been payable on the first day of the registration year. For 2006/07 a penalty fee of \$30 per dog is recommended.
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Preferred option

40. It is recommended that the Council adopt Option 1, with all dog owners having an increase in dog registration fees for the period 2006/07 of \$5.00 per dog from 1 July 2006.

ASSESSMENT OF OPTIONS

The Preferred Option – Option 1

	Benefits (current and future)	Costs (current and future)
Social	Provides a robust application of the legislation to effectively manage and achieve an outcome Meets the needs of dog owners as a result of new legislation changes	It is not likely legislation will change significantly to increase costs any further.
Cultural	As above	As above
Environmental	There are no identified environmental impacts	There are no identified environmental impacts
Economic	The financial burden for the cost of animal control and enforcement is shared amongst all dog owners.	Costs continue to increase as legislation changes.
<p>Extent to which community outcomes are achieved:</p> <p>Impact on Council's capacity and responsibilities:</p> <p>Effects on Maori: There are no specific impacts on Maori that are different to those to be experienced by other ethnic groups</p> <p>Consistency with existing Council policies: The Council has resolved that the animal control section be financially funded from rates by 8% which is recognition as resulting in the community benefits.</p> <p>Views and preferences of persons affected or likely to have an interest: This report has been prepared with the knowledge that many in the Council's farming community may have reservations and resistance to having their dogs micro-chipped, as a result of these new laws, and the financial impacts imposed on them, option 1 may dispel these reservations.</p> <p>Other relevant matters: There are no other relevant matters identified.</p>		

Option 2 (If Not Preferred Option)

	Benefits (current and future)	Costs (current and future)
Social	Provides a robust application of the legislation to effectively manage and achieve an outcome Meets the needs of dog owners as a result of new legislation changes	It is not likely legislation will change significantly to increase costs any further.
Cultural	As above	As above
Environmental	There are no identified environmental impacts	There are no identified environmental impacts
Economic	The financial burden for the cost of animal control and enforcement is shared amongst all dog owners.	Costs continue to increase as legislation changes.

Extent to which community outcomes are achieved:

Impact on Council's capacity and responsibilities:

Effects on Maori:

There are no specific impacts on Maori that are different to those to be experienced by other ethnic groups

Consistency with existing Council policies:

The Council has resolved that the animal control section be financially funded from rates by 8% which is recognition as resulting in the community benefits.

Views and preferences of persons affected or likely to have an interest:

This report has been prepared with the knowledge that many in the Council's farming community may have reservations and resistance to having their dogs micro-chipped as a result of these new laws, and the financial impacts imposed on them, option 2 may increase these reservations and result in non compliance.

Other relevant matters:

There are no other relevant matters identified.

Option 3

	Benefits (current and future)	Costs (current and future)
Social	Provides a robust application of the legislation to effectively manage and achieve an outcome Meets the needs of dog owners as a result of new legislation changes	It is not likely legislation will change significantly to increase costs any further.
Cultural	As above	As above
Environmental	There are no identified environmental impacts	There are no identified environmental impacts
Economic	The financial burden for the cost of animal control and enforcement is shared amongst all dog owners.	Costs continue to increase as legislation changes.

Extent to which community outcomes are achieved:

Impact on Council's capacity and responsibilities:

Effects on Maori:

There are no specific impacts on Maori that are different to those to be experienced by other ethnic groups

Consistency with existing Council policies:

The Council has resolved that the animal control section be financially funded from rates by 8% which is recognition as resulting in the community benefits.

Views and preferences of persons affected or likely to have an interest:

This report has been prepared with the knowledge that many in the Council's farming community may have reservations and resistance to having their dogs micro-chipped, as a result of these new laws.

Other relevant matters:

There are no other relevant matters identified.