



**Merri-bek**  
City Council



## **Dealing with a Barking Dog**

CRS number \_\_\_\_\_

## **Contents**

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Introduction	4
Why dogs bark	6
Neighbourhood communication	7
Your legal requirements for court action	8
Lodging a complaint with Council	8
Council action	9
How to complete a Barking Dog Diary	10
Barking Dog Complaint Form	11
Barking Dog Diary	13
Acknowledgment / Declaration Form	17
Dear Neighbour letter	19
Some simple tips for reducing barking	20



## Introduction

Dogs are an important part of our local community, but dogs that bark excessively can become a source of irritation for neighbours and others using the local environment. Our best friend can, if it barks continually, become an intrusion and create friction between neighbours.

Merri-bek City Council receives numerous complaints regarding nuisance from barking dogs. Approaching the dog's owner in a friendly manner and discussing your concerns with them, sometimes easily resolves this type of complaint.

The dog's owner may not realise that the barking is causing an annoyance to other people.

- The dog may only bark excessively when the owner is not home.
- The owner may not hear the barking from various areas within the house.
- The owner may be a sound sleeper and not get disturbed when the dog barks.





## **Why dogs bark**

Dogs bark for many reasons, and even though they appear to be 'barking for no reason' they are in fact trying to communicate something to their owner or anyone who is willing to pay attention.

The following are some of the main reasons why dogs bark:

- lack of exercise;
- inadequate yard space;
- boredom;
- not enough human companionship;
- inadequate shelter from weather conditions;
- hunger or thirst;
- a medical condition;
- provocation;
- disturbances;
- changes to family structure
- movement

Of course dogs also bark to alert their owners of trouble, such as an intruder entering the property or perhaps a fire. Remember, a dog's idea of an 'intruder' may differ to that of the owner. It could include cats, possums, other dogs, or even birds flying across the property.

Whilst it is acceptable for a dog to bark to warn its owner of an intruder, it is the owner's responsibility to train the dog not to bark at 'normal' occurrences such as possums, cats or birds.

Barking at normal movements or noises from adjoining properties should be considered to be unacceptable behaviour.



## **Neighbourhood communication**

Neighbours can help each other to resolve barking problems by communicating their concerns and needs. Neighbours can assist by identifying the reasons for excessive barking and noting what is happening in the area when the dog is barking.

A neighbour may be in a position to offer to exercise a dog when its owner is unable due to work commitments, illness or other reasons. Approach your neighbour and offer this service. It will also help build your relationship with the dog.

Don't forget, the owner of the offending dog may not know the animal is causing a nuisance.

Try the following steps to attempt to resolve the issue in a neighbourly manner:

1. Approach the dog's owner when the problem arises and state your case clearly and politely. He or she may not be aware of the barking situation. Provide the dog owner or keeper with a copy of the diary contained in this brochure.

If the dog owner is unapproachable or you are not comfortable approaching them, try placing the Dear Neighbour letter available on page 11 of this booklet into their letterbox.

2. If the neighbour takes no action or does not agree that a problem exists, you should contact the Department of Justice which funds a dispute settlement service for people who find themselves in a situation of dispute or conflict with another person.

This service uses mediation as a way of settling neighbourhood disputes without expensive legal action. It is a private and free service. The service offers specially trained mediators who will help you both find a workable solution.

**Dispute Settlement Centre**  
4th Floor, 456 Lonsdale Street  
Melbourne 3000  
Phone: 9603 8370 Fax: 9603 8355  
Email: [dscv@justice.vic.gov.au](mailto:dscv@justice.vic.gov.au)

In most cases the solution can be found by communication between neighbours and should be sought prior to lodging a complaint with your Council.

## **Lodging a complaint with Council**

To lodge a complaint with Council you must first show that you:

- have spoken with your neighbour and have tried to resolve the problem with them; or
- have attempted to resolve the issue through an independent party such as the Dispute Settlement Centre of Victoria.

Then you can start the procedure for lodging a barking dog complaint as follows:

- identify the correct address of the offending dog;
- complete the Barking Dog Complaint Form in the centre of this booklet;
- keep a diary of the dog's barking habits for a minimum of seven (7) days, noting the date, time, weather conditions, duration of barking, possible reason, as well as the effect the dog's barking is having on you;
- forward to Council the Barking Dog Complaint Form and your completed diary signed by you and an authorised witness; and
- continue to keep the diary of the dog's barking habits for a further month. This will monitor whether the problem continues or improves as a result of any action taken.

## **Council action**

When we receive your completed diary, we will appoint an Animal Management Officer who will:

- Study the diary to establish barking patterns to try to determine the reason for the dog's barking.
- Confirm that other nominated residents are being affected by the dog's barking.
- Advise the dog owner of the complaint, discuss possible solutions and inform them of their responsibilities.

If the Animal Management Officer believes there is a problem with the dog, the officer will work with the owner until they believe that the owner has done everything possible to help correct the barking behaviour.

Council will only commence court action if the Animal Management Officer believes:

1. the owner of the dog is not complying with Council's request, and
2. the dog is a problem, and
3. the owner of the dog has exhausted all avenues to resolve the problem, and
4. the complainant is prepared to go to court.

If, at any time, Council believes you are not taking an interest in the complaint and have not done what Council has requested of you, the complaint will be closed and you will have to take your own court action.

**IF YOU DON'T UNDERSTAND WHAT YOU HAVE JUST READ, THEN YOU ARE ADVISED TO SEEK LEGAL ADVICE.**

## **Your legal requirements for court action**

In complaints of this nature Council can only do what is stated in the Domestic Animals Act 1994. The only way Council can abate the noise completely is to go to court and obtain a court order.

To take a barking dog complaint to court you are required, as the complainant, to provide all the information as it is you, not the Council who will need to convince a Magistrate that the dog is a nuisance.

You must keep a comprehensive diary over a period of time that shows the patterns of the dog's barking behaviour. Remember, in a court of law the evidence you give may be subjected to cross-examination.

Matters may be taken to court if:

- it is fully established that there is a case to answer and;
- all other avenues to try and resolve the issue have been exhausted.

Council will not get involved in any domestic dispute between you and your neighbour. If this happens, Council will inform you to take your own legal action.

If you don't understand what you have just read or if you need more information you should seek legal advice.

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## **Dear Neighbour**

**You may not be aware but your dog is currently causing a nuisance in the neighbourhood by barking excessively.**

I have discussed this problem with Merri-bek City Council and have been advised that as a first step, I express my concern to you, to allow you the opportunity to rectify the situation without recording an official complaint against you on Council's file.

On the back of this letter is some information that may be of assistance to you in resolving the problem.

Your co-operation at this stage is all that is needed to avoid this matter progressing any further.

Your Neighbour,



## Some simple tips for reducing barking

- Make sure that you do not reward your dog for barking too much.
- Don't let the dog inside or give it attention when it barks. Instead, give the dog attention when it is quiet.
- If the dog is barking at people or noises on the other side of a fence, move the dog to another part of the yard, or put up a barrier to keep the dog away from that area.
- If the dog barks at regular disturbances such as children walking to school or rubbish trucks, keep the dog inside or in an enclosed area at these times.
- If the dog races along a path or fence barking at passing distractions, put barriers or obstacles in the dog's way to slow it down.
- Ensure that the dog has adequate exercise and obedience training.
- Make sure that the dog has food, water and shelter from the weather.
- If the dog is barking through gaps and cracks in the fence, fill them in.
- If the dog is barking at people it can see passing by, try blocking the dog's view.
- Teach the dog to stop barking on command. When the dog is barking give a firm command such as 'cease' and call the dog to you. Praise the dog when it stops barking. If the dog will not listen to you, it will need obedience training.
- If you are away from home for long periods, consider leaving your dog with a dog sitter.
- Speak to your vet to determine if a medical condition is causing the barking.

**Remember, dogs bark for many reasons. If these simple tips do not help you, seek further advice from your vet or an animal behaviour specialist.**

### Myth

It is natural for dogs to bark a lot.

### False!

Barking is one of the dog's main ways of communicating. However, it is not normal for a dog to bark at every noise, passer by, nor to bark for long periods of time.



## BARKING DOG COMPLAINT FORM



This document, barking dog diary and acknowledgment / declaration form must be completed in full, signed and returned to Merri-bek City Council within seven days of completion.

(PLEASE PRINT ALL DETAILS)

CRS number \_\_\_\_\_

### YOUR DETAILS

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

### OFFENDING DOG/S DETAILS

Address: \_\_\_\_\_  
\_\_\_\_\_

Description of dog/s: (Colour and breed of dog/s) \_\_\_\_\_  
\_\_\_\_\_

### MORE INFORMATION

Have you spoken to your neighbours about this problem? ☐ Yes ☐ No

Have any of your neighbours mentioned this problem to you? ☐ Yes ☐ No

If YES, are they prepared to support your claim? ☐ Yes ☐ No

**If YES, please supply their name, address and contact details below:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_







# Barking Dog Diary

[illegible]

# Barking Dog Diary

[illegible]



# Contact

## Merri-bek City Council

Locked Bag 10  
Brunswick Victoria 3056

**Phone** 03 9240 1111  
**Fax** 03 9240 1212  
**TTY** 133 677  
**Web** [merri-bek.vic.gov.au](http://merri-bek.vic.gov.au)

### Merri-bek Language Link

Italiano	Italian	9280 1911	Türkçe	Turkish	9280 1914	普通话	Chinese (Simplified)	9280 0750
Ελληνικά	Greek	9280 1912	Tiếng Việt	Vietnamese	9280 1915	National Relay Service: 13 36 77 or <a href="http://relayservice.com.au">relayservice.com.au</a>		
عربي	Arabic	9280 1913	पञ्जाबी	Nepali	9280 0751			