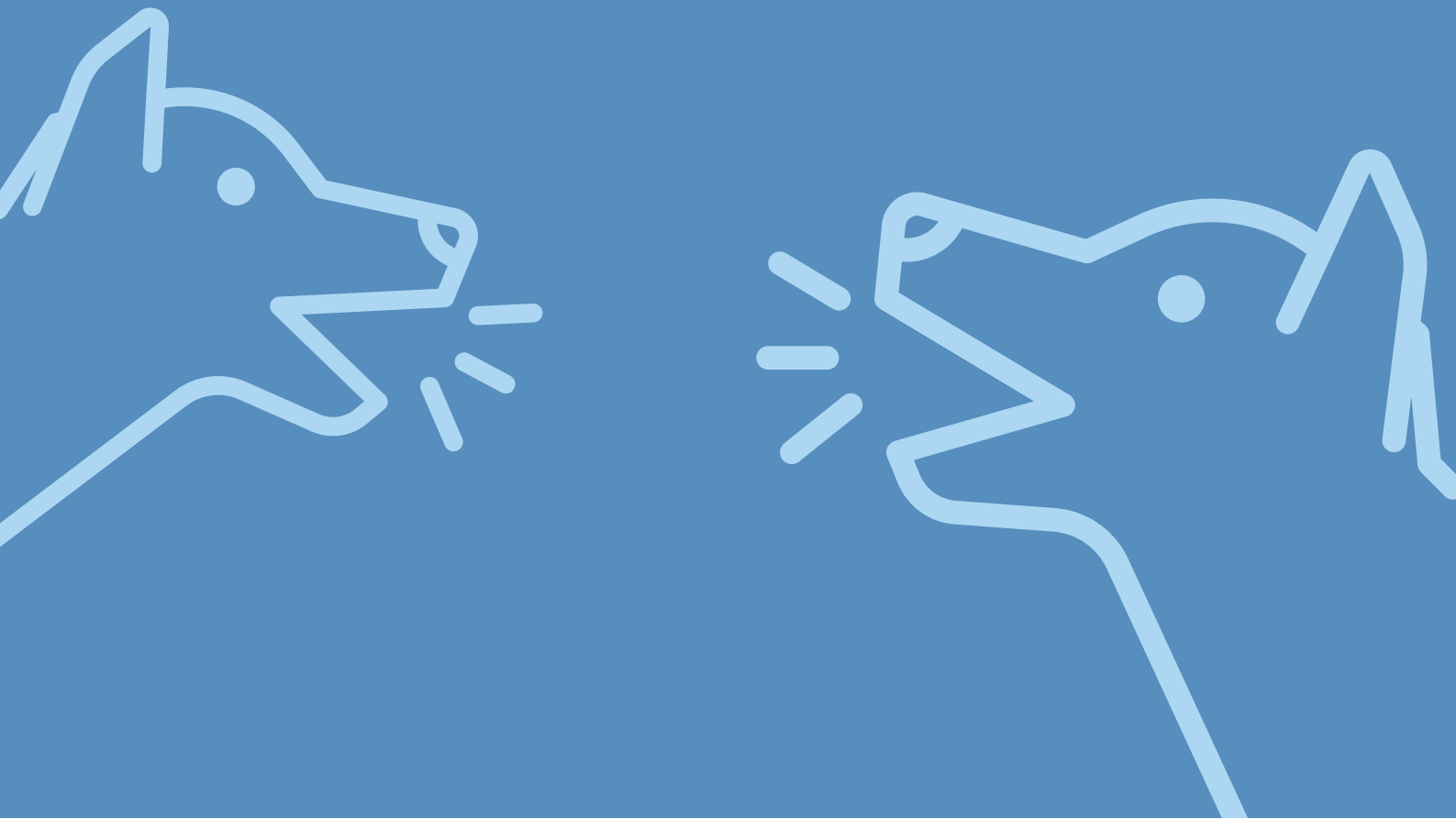


# How to deal with barking dogs



## Barking mad

Dogs are an important part of our community, but dogs that bark excessively can become a nuisance and create friction between neighbours and others using the local environment.

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

The dog's owner may not realise that the dog is causing a nuisance to other people.

- The dog may bark excessively when the owner is not home.
- The owner may not hear the barking from certain areas of their house.
- The owner may be a very sound sleeper and not woken when the dog barks.

## Why dogs bark

Even though dogs may appear to be “barking for no reason” they are in fact trying to communicate something to their owner or anyone willing to pay attention.

The following list provides some of the main reasons why dogs bark:

- Lack of exercise
- Disturbances
- Not enough human companionship
- Movement outside the dog's property
- Hungry or thirsty
- Medical condition
- Inadequate yard space
- Provocation
- Boredom
- Behavioural problems
- Change of family structure
- Inadequate shelter from weather conditions

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.

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

Excessive barking at normal movement/noises from adjoining properties is unacceptable behaviour.

# Communication

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

Try and establish a relationship with your neighbour and their dog. This may assist with the issue. You may be in a position to offer to exercise the dog when its owner is unable due to work commitments, illness or other reasons.

**Please remember - the owner of the offending dog may not know their animal is a nuisance.**

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

- 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.
- If the dog owner is unapproachable or you are not comfortable approaching them, try placing the "Dear Neighbour" letter contained in this brochure into their letterbox.
- If the neighbour takes no action or does not agree that a problem exists, you should complete all applicable sections within this booklet and submit to Council.

**In most cases a solution can be found by communicating between neighbours. This should be attempted prior to lodging a complaint with Council.**

## Sample letter

Dear Neighbour,

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

I have discussed this problem with Maribyrnong City Council and a suggested first step is that 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 files.

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

Your cooperation at this stage is all that is needed to avoid this matter progressing any further. Please call the Animal Management Team at Maribyrnong City Council on 9688 0200 during business hours for any guidance that you feel may assist you.

Your Neighbour

# Lodging a complaint

If all communication with your neighbour has failed, you may now start the procedure for lodging an official complaint for a barking dog.

- Identify the correct address(s) of the offending dog. You will need to live in close proximity to the barking dog in order to lodge a complaint. (i.e. within two houses from the dog).
- Complete the “Barking Dog Complaint Form” contained in this booklet.
- Keep a diary of the dog's barking habits for a period of two weeks noting the date, time, weather conditions and duration of the barking, and the reason as well as the effect the dogs barking is having on you.
- 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.

**Unless all of the above steps have been taken, the booklet will be returned to you for completion with no further action being taken by Council.**

## Council action

Council will appoint an Animal Management Officer who will:

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

If the officer believes that 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 start taking court action if the officer believes:

1. The complainant is prepared to go to court.
2. The owner of the dog is not complying with Council's request.
3. The unacceptable level of nuisance has been confirmed.
4. The owner of the dog has exhausted all avenues to resolve the problem.

## **Council will not take action 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 need to seek civil action.
- A Council Officer determines that the barking is not an unreasonable nuisance, you will be informed in writing and the complaint will be closed.
- 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.
- When the diary and forms in this booklet have not been completed **and** signed.

You may choose to use the following for any civil action:

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

**Please note that Council reserves the right to terminate all action at any time under State Government Legislation.**

## **Court action requirements**

### **Council requires the below from you to take court action.**

For complaints of this nature Council can only do what is stated in the Domestic Animals Act 1994. The only way Council can facilitate an outcome when all other avenues have been exhausted is to present the case to a Magistrate to make a determination that will legally bind both parties.

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

**If you do not understand what you have just read, please seek legal advice before proceeding with court action.**

## Barking dog diary

You will need to complete a barking dog diary in order to prove your case - your accuracy in recording the nuisance barking is of extreme importance as it may be presented as evidence in Court.

Please keep a detailed diary over a two-week period as per the example below and attach the diary to the Barking Dog Complaint Form.

### Example only

Date	Time barking started	Time barking stopped	How many barks?	Reason for barking (Person walking by, weather, aircraft etc)
2/3/22	1.20pm	1.22pm	4	Trees swaying in the wind
2/3/22	1.28pm	1.31pm	8	Person walking past property with a dog
2/3/22	1.35pm	1.35pm	2	Unsure
2/3/22	1.49pm	1.51pm	15+	Children playing in the street
2/3/22	2.11pm	2.11pm	2	Unsure
2/3/22	2.13pm	2.15pm	6	Motorbike rode down the street
2/3/22	2.28pm	2.29pm	3	Unsure
2/3/22	2.41pm	2.47pm	15+	Neighbour returned home
2/3/22	3.01pm	3.03pm	6	Plane flew overhead
2/3/22	3.15pm	3.18pm	10	Cat in nearby tree

This may seem excessive, but remember, you may be required to present this diary before a Magistrate as accurate and concise evidence.

**REMEMBER: Failure to fully complete the information in this booklet will result in No Further Action Being Initiated by Council.**



# Barking dog diary

Date	Time barking started	Time barking stopped	How many barks?	Reason for barking (Person walking by, weather, aircraft etc)



# Barking dog diary

Date	Time barking started	Time barking stopped	How many barks?	Reason for barking (Person walking by, weather, aircraft etc)

# COMPLAINT FORM

## FOR BARKING DOGS

This document and the Barking Dog Diary must be completed in full, signed and returned to Maribyrnong City Council within **seven** days of completion.

### PLEASE PRINT ALL DETAILS BELOW

Complainant's name (You)

Your address

Contact Number

Address of offending dog(s)

Description of dog(s)

Colour and breed of dog(s)

Have you verified where the barking is coming from?  Yes  No

Have you seen the dog/s barking?  Yes  No

Have you spoken to the neighbours about the problem?  Yes  No

Are you prepared to have the matter mediated?  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

I, the undersigned, wish to lodge a formal complaint with Maribyrnong City Council in relation to the dog/s described above, which bark persistently to such a degree that it unreasonably interferes with my (peace), (comfort) or (convenience) in my premises.  
*(Please strike out items not applicable in brackets).*

**I have read and understand the Barking Dog Diary Policy and Guidelines. I agree to accept responsibility of what is required of me as set out in this document and am willing to attend court if needed.**

*Privacy Statement: Council is collecting the personal information on this form for the purpose of gathering information applicable to this complaint. The information will be used for investigating the complaint and will not be disclosed to any other party except as required by law.*

Signature of complainant: \_\_\_\_\_ Date: \_\_\_\_\_

If you fail to provide all of the required information, no action can be taken in regards to this complaint.

Forward the completed Complaint Form for Barking Dogs and the Barking Dog Diary via:

#### 1. Email

email@maribyrnong.vic.gov.au

#### 2. Post

Regulatory Services, Animal Management Team  
PO Box 58  
West Footscray VIC 3012

#### 3. In-person

10am - 5pm, weekdays.  
Footscray Library  
56 Paisley Street

## 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 the 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.
- If the dog is being left alone for long periods of time, ensure you leave it toys, bones etc, to provide stimulation.
- 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.
- Seek professional assistance from a reputable Animal Behaviourist before the dog develops bad habits.
- Never leave your dog outside unsupervised all day and night.
- Consider taking your dog to doggy day care.
- Consider walking your dog before you leave the house to tire them out.
- You may need to consider a device that can help train your dog not to bark. A quick google search will help you research the right one for your dog.
- If you are not sure why your dog is barking it is possible that there may be an issue of anxiety. Especially if your dog is barking while you are at home. Seeking the advice of a professional can help diagnose this and help you to implement a routine to combat this.

Remember that your dog barking may not bother you but may be impacting on those around you. If Council receives a complaint about your dog it is imperative that you take it seriously and act immediately to rectify the issue.

As a dog owner it is your responsibility to ensure that your dog's behaviour does not impact negatively on those around you at any time during the day and night.

Failure to rectify the nuisance may result in further action being taken which include infringements and or Court action in the Magistrates Court for determination.

