

## **Tethering of dogs.**

The Act commences on the date of assent to the Act

- (1) The word “tether” means to tie a dog to a stationary or inanimate object with a rope, chain, or other means to restrict, confine, or restrain its movement.
- (2) A person must not tether a dog unless the person is physically present with and attending to the dog and the dog remains visible to the person at all times while tethered.
  - (a) A person must not tether a dog outdoors during severe weather, including, but not limited to, extreme heat or cold, thunderstorms, lightning, tornadoes, tropical storms, or hurricanes.
  - (b) A dog must not be kept outdoors during extreme weather conditions, including, but not limited to:
    - (i) in temperatures over (29°C-85°F)
    - (ii) In temperatures (7°C-45°F)
- (3) Paragraph (2)(a) does not apply to tethering a dog in a manner that does not jeopardize its health, safety, or well-being when:
  - (a) Attending, or participating in, a legal, organized public event in which the dog and the person is permitted as attendees or participants;
  - (b) Actively engaging in conduct that is directly related to the business of shepherding or herding cattle or farm animals or related to the business of cultivating agricultural products and tethering is reasonably necessary for its safety;
  - (c) Being treated by a veterinarian or serviced by a groomer;
  - (d) Actively being trained for or actively serving in a law enforcement capacity;
  - (e) Being cared for as part of a rescue operation during a natural or manmade disaster;
  - (f) Tethered for periods of no longer than 30 minutes while being kept in a bona fide humane shelter or at a licensed commercial boarding facility; or
  - (g) Tethered in accordance with the regulations of a camping or recreational area
- (4) A person who tethers a dog in contravention of this legislation shall be guilty of an offence and subject to the following
  - (a) For a first offence, a written warning and notice to comply within 14 calendar days. In temperatures over 25 without shade/shelter the dog must be removed to safely

immediately until adequate housing is erected.

- (b) For a second offence, subject to a fine of 25 penalty points and removal of dog.
- (c) For a third offence. Removal of dog and prohibited from owning a dog

## **Housing of outdoor & indoor dogs.**

### (1) Enclosures/confinement of dogs

- (a) Dogs kept outside must be in a fully fenced or secure yard with sufficient space for the dog to run, play, move about freely and exhibit natural behaviours.
- (b) Dogs must have access to adequate shade/shelter at all times. Shelters must be provided within those yards to provide adequate protection from sun, wind, rain and cold.
- (c) Dogs must not be confined in small inappropriate cages or crates either indoors or outdoors.
- (d) Minimum size enclosures for indoor dogs must follow Outdoor Enclosure minimum requirements for no longer than 12 hours at any one time (licenced emergency/temporary rehoming centres exempt)

### (2) Outdoor Enclosures for a dog is; A fenced yard, kennel, or run and must include the following and must be adequate and suitable for a dog's size and weight.

- (a) For dogs minimum square Meter area for exercise based on weight (a visual estimation) :
    - 12 Square Meters (120 square feet) for a dog up to 13 kilos, (30lbs)
    - 14 Square Meters (150 square feet) for a dog up to 27kilos, (60lbs)
    - 24 Square Meters (250 square feet) for dogs over 27kilos, (60lbs)
- Additional dogs must have at least (14 Square Meters) (150) square feet per dog.

### (3) SHADE IN OUTDOOR ENCLOSURES

- (a) an outdoor enclosure must include an area shaded from UV rays during all hours for all dogs without crowding.

### (4) HEALTH AND HYGIENE WITHIN ENCLOSURES

An outdoor enclosure

- (a) Must be kept free from accumulated waste, trash, standing water, parasites and rodents.  
All housing areas must be maintained in a safe, clean ad hygienic condition at all times

- (b) Enclosures need to allow dog(s) to urinate and defecate away from the sleeping and] eating areas and be cleaned daily so that enclosures are free of faeces.

#### (5) WATER AND FOOD

A dog must be provided with adequate food and water

- (a) A dog must be provided access to a continuous supply of visibly clean water provided in a spill proof container sized appropriately for the dog's size and a sufficient supply of species
- (b) A dog must be provided with appropriate, wholesome food
- (c) Where more than one dog is accommodated, each dog must have a separate water and feeding bowl

#### (6) SHELTER/HOUSING

A dog must be provided with adequate shelter/housing

- (a) The shelter must be provided within the enclosure but will not be included as part of the allowed minimum enclosure size .

Adequate Shelter shall include, but is not limited to:

- (a) A sturdily constructed and enclosed, well ventilated , weatherproof structure with \*four sides, a door, solid roof, and floor.
- (b) Allow a dog to have the ability to stand, turn around, lie down with limbs outstretched, and be easily entered and exited.
- (c) Must be raised at least 5 centimetres off the ground.
- (d) To avoid the shelter becoming a dangerous heat storage chamber, the structure must be placed in shade from September to May with adequate air flow and ventilation..
- (e) In temperatures 7 degrees celsius and below a shelter must have heavy flexible flaps to cover doors and windows, and floor must be covered with a minimum of 20 centimetres thick of clean, dry (quick drying) bedding.
- (f) All shelter areas must be maintained in a safe, clean and hygienic condition at all times.
- (g) A dog must have access to shelter at all times.
- (h) Where multiple dogs are homed, a dog must have its own sleeping area.

Inadequate shelters include, but are not limited to: lean-tos, metal or plastic drums, airline carrier crates, cardboard boxes and abandoned cars, porches, decks. Structures with wire, grid, or slat floors are prohibited.

#### (7) WEATHER CONDITIONS:

A dog must not be kept outdoors unattended during extreme weather conditions, including, but not limited to:

- In temperatures over (29°C-85°F)
- In temperatures (7°C-45°F)
- Cyclone watches or warnings. lightning, Severe storm warnings, Hurricanes or other extreme weather event.
- A public animal health warning must be declared at temperatures above 29 degrees. Once the Code has been declared, dogs must not be left unattended outdoors (except for brief walks and periods of exercise.) at temperatures above 32 degrees.(please refer to dog heat chart) Dogs must have access to a cooler/air conditioned area/cooler indoor area when outdoor temperatures reach over 32 degrees.

PENALTIES for offences for keeping in extreme weather conditions that cause harm

- First offence 14 days to ensure dog not left outside unattended or without access to cooler indoor conditions above 32 degrees.
- Second offence 5 points plus removal of dog to safe/cooler living conditions. Costs of alternative accommodation and court costs for violation to be paid for by owner

(8) ABANDONEMENT:

- (a) A dog must not be left unattended on vacant or abandoned property.
- (b) A dog shall not be left behind when the caretaker evacuates for cyclones, storms, drought, hurricane or other natural or manmade disaster.

(9) TRANSPORTING; When a dog is transported in a pickup truck or similar open-air vehicle with a metal bed, they must be provided protection from the metal bed and must be in a hard-shelled crate. The crate must be secured to the truck bed. The dog must be protected from the sun, rain, hail while being transported.

No dog shall be transported on or within an attachable trailer.

(10) THE BREEDING AND SALE OF DOGS MUST BE PROHIBITED IN REGIONS FOR THOSE BREEDS WHO EXPERIENCE HEATSTROKE IN TEMPERATURES ABOVE 29 DEGREES

The following dog breeds must not be bred and sold in regions that see temperatures consistently above 29 degrees. (please note this list is not comprehensive)

- (a) All Brachycephalic dogs
- (b) Dogs with double coats such as huskies, chow chows and golden retrievers. A thick coat acts as insulation, trapping hot air and limiting heat loss if the dog overheats.  
(Please refer to the list below with examples of dogs with double coats. Please note the list is not comprehensive)
- (c) Giant dog breeds over 50 kgs (3 times more likely to suffer heatstroke)