



*By-law made under the Local Government Act 1999  
and the Dog and Cat Management Act 1995*

## **DOGS BY-LAW 2022**

### **By-law No. 4 of 2022**

*For the management and control of dogs within the Council's area.*

#### **Part 1 – Preliminary**

##### **1. Short Title**

This by-law may be cited as the *Dogs By-law 2022*.

##### **2. Commencement**

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

##### **3. Definitions**

In this by-law:

- 3.1 **approved kennel establishment** means a building, structure or area approved by the relevant authority, pursuant to the *Development Act 1993* or *Planning, Development and Infrastructure Act 2016* for the keeping of dogs on a temporary or permanent basis;
- 3.2 **assistance dog** means a dog trained and used for the purpose of assisting a person who is wholly or partially disabled and includes a dog undergoing training of a kind approved by the Board for assistance dogs;
- 3.3 **Board** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.4 **children's playground** means any enclosed area in which there is equipment, apparatus or other installed devices for the purpose of children's play (or within 5 metres of such devices if there is no enclosed area);
- 3.5 **control**, in relation to a dog, includes the person having ownership, possession or charge of, or authority over, the dog;
- 3.6 **dog** has the same meaning as in the *Dog and Cat Management Act 1995*;

- 3.7 **effective control** means a person exercising effective control of a dog either:
- 3.7.1 by means of a physical restraint;
  - 3.7.2 by command, the dog being in close proximity to the person, and the person being able to see the dog at all times;
- 3.8 **keep** includes the provision of food or shelter;
- 3.9 **local government land** has the same meaning as in the *Local Government Act 1999*;
- 3.10 **wetland area** includes any park, reserve, scrub, trail or other land adjacent to a wetland.

## Part 2 – Dog Management and Control

### 4. Dog Free Areas

A person must not on any local government land to which this paragraph applies allow a dog in that person's control to be in or remain in that place unless the dog is an assistance dog.

### 5. Dog on Leash Areas

A person must not allow a dog under that person's control to be or remain:

- 5.1 on local government land or public place to which the Council has resolved that this subparagraph applies;
- 5.2 on any park or reserve during times when organised sport is being played;
- 5.3 within 5 metres of children's playground equipment;
- 5.4 in any wetland area;

unless the dog is secured by a strong leash not exceeding 2 metres in length which is either tethered securely to a fixed object capable of securing the dog or held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.

### 6. Dog Exercise Areas

- 6.1 A person may enter upon any part of local government land identified by the Council as a dog exercise area in accordance with paragraph 8 for the purpose of exercising a dog under their control.
- 6.2 Where a person enters upon such part of local government land for that purpose, they must ensure that the dog under their control remains under effective control while on that land.

### 7. Limit on Dog Numbers

- 7.1 The limit on the number of dogs kept on any premises is two dogs.

7.2 A person must not, without permission, keep any dog on any premises where the number of dogs on the premises exceeds the limit unless:

7.2.1 the premises is an approved kennel establishment; or

7.2.2 the Council has exempted the premises from compliance with this sub-paragraph; or

7.2.3 the dog is under 3 months of age.

### Part 3 – Miscellaneous

#### 8. Application

8.1 Any of paragraphs 4, 5.1 and 6.1 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct from time to time in accordance with Section 246 of the *Local Government Act 1999* and as are denoted by signs erected by the Council and information provided to the public in a manner determined by the Council's Chief Executive Officer.

#### 9. Revocation

Council's *By-law No. 4 – Dogs*, published in the *Gazette* on 1 October 2015, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Playford held on the 23<sup>rd</sup> day of August 2022 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

  
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Mr Sam Green  
Chief Executive Officer

## LEGISLATIVE HISTORY

### Amendments

Year	By-Law No.	Reference	Commencement
2023	9	City of Playford (Miscellaneous) Amendment By-Law 2023 published in the <i>Government Gazette</i> on 2 November 2023	2 March 2024

Provision of Dogs By-Law 2022	Variation	Date of Effect
Paragraph 6.1	Substituted per clause 12.1 of 9/2023	2 March 2024
Paragraph 6.2	Substituted per clause 12.2 of 9/2023	2 March 2024
Paragraph 6.2	Substituted per clause 12.3 of 9/2023	2 March 2024