

## Owner checklist - regulated dog mandatory conditions

As a regulated dog owner, you are required to comply with mandatory conditions under the *Animal Management (Cats and Dogs) Act 2008*.

Council Local Laws Officers will conduct inspections to check all mandatory conditions are being complied with as part of the declaration process and the annual Regulated Dog systematic inspection program.

Please make use of the checklist below, which states the mandatory conditions which need to be in place to assist you in ensuring compliance.

It is your responsibility to ensure continual maintenance of the regulated dog enclosure and compliance at all times, not only at the time of the compliance inspection.

Legislative Condition		MBRC Minimum standards
<b>Dog identification and desexing</b>		
	The owner of a dangerous dog must ensure the dog is desexed.	Officers will reconfirm the desexing of a dangerous dog. This will require a signed veterinary surgeon's certificate stating, or other evidence, that it has been desexed. Other evidence may include a photo of a desexing tattoo.
	The dog must be implanted with a PPID (microchip).	Your dog will be scanned to verify its identity.
	The dog must, at all times wear a collar with an attached identifying tag.  The dog must, at all times, wear a distinctive collar.	Must be wearing a regulated dog collar, yellow and red reflective striped, with the yellow identifying tag affixed provided by Council.  If a new tag or collar is required, please notify Council prior to the inspection. Replacement collars will be charged 'at cost'.
<b>Enclosure</b>		
	The dog must be kept in the enclosure.	The dog must be kept in its enclosure. The only exceptions are where the dog is visiting a vet or being exercised. In all cases the dog must be under effective control.
	The enclosure must not be built or situated in a way requiring a member of the public seeking access to the front entrance of a dwelling house on the relevant place to go into the area enclosed.	A person must be able to access the front entrance to the house without having to go into the enclosed area.
	The enclosed area must not include any area that is a swimming pool or area surrounding a swimming pool.	Must not have all or any part of the enclosure situated within the swimming pool area. An enclosure wall must not consist of the pool fence, as this may cause the pool fence to become non-compliant.
	The enclosed area must not include any area that is all, or part of a building usually used for residential purposes.	All or part of the enclosure must not be situated inside any part of the dwelling including: <ul style="list-style-type: none"> <li>• habitable areas</li> <li>• attached laundry or</li> <li>• attached garage which falls within the roofline of the dwelling.</li> </ul> Must not be situated in a patio area that is also utilised for habitable purposes, unless: <ul style="list-style-type: none"> <li>• there is a second patio area that is not used for any habitable purpose including seating, laundry/clothesline and</li> <li>• does not have a door opening between the dwelling and the patio area.</li> </ul>

Enclosure (Continued)	
<p>The walls of the enclosure must be:</p> <ul style="list-style-type: none"> <li>• if the dog is 8kg or less—at least 1m high above ground level</li> <li>• or otherwise—at least 1.8m high above ground level.</li> </ul>	<p>The height of the wall is to be measured from the internal side of the wall if there is a difference in ground height between the internal side and external side of the wall.</p>
<p>The exterior walls of the enclosure must be designed to prevent a child from climbing over, under or through the enclosure walls.</p>	<p>Exterior walls must be child proof. This includes:</p> <ul style="list-style-type: none"> <li>• no gaps or spacing in the enclosure walls which would allow a child to protrude a limb into or climb into the enclosure</li> <li>• vertical walls with no foot holds</li> <li>• no fencing gap or spacing greater than 13mm for the required enclosure wall height.</li> </ul>
<p>The enclosure must consist of firm and strong materials.</p> <p>The walls of the enclosure must be designed to prevent the dog, or part of the dog, from protruding over, under or through the enclosure.</p>	<p>Must be constructed from firm and strong materials appropriate to the breed of the dog, to prevent the dog from escaping or protruding over, under, or through the enclosure wall.</p> <p>Interior walls to be free from any fixings or items which may assist a dog in protruding or escaping over the top of the enclosure wall.</p> <p>A dig barrier is required where the property boundary fence is used as an enclosure wall. All other enclosure walls will require a dig barrier where there is evidence or a history of the dog digging which may lead to protruding or escaping from the enclosure.</p> <p>A regulated dog owner is required to continually monitor and implement measures if the dog begins to dig.</p>
<p>If the walls of the enclosure include a perimeter fence for the relevant place or an exterior wall of a structure - the perimeter fence or exterior wall must comply with the requirements for the enclosure under schedule 1, section 4 of the Act, and Regulation.</p>	<p>May include a boundary fence providing:</p> <ul style="list-style-type: none"> <li>• the fence has no foot holds</li> <li>• no horizontal spacing greater than 13mm wide for the entire required height of the enclosure wall.</li> </ul> <p>This can be achieved through the application of mesh with a maximum spacing of not greater than 13mm or additional palings affixed to a timber paling fence.</p> <p>If the fence rails are on the external side of the fence, 45-degree timber battens may be affixed to the top of the rails to eliminate the foot hold.</p> <p>The enclosure may use an external building wall as an enclosure wall providing there is no direct door opening between the dwelling and the enclosure.</p> <p>Any window on that wall must be permanently affixed closed or covered. Suggested measures include the window being screwed closed, or mesh with a maximum spacing of not greater than 13mm is affixed over the window.</p>

Enclosure (Continued)	
The enclosure must include a gate that is childproof, self-closing and self-latching, and complies with the requirements for the enclosure under schedule 1, section 4 of the Act, and the Regulation.	<p>Must include a gate that is:</p> <ul style="list-style-type: none"> <li>childproof as per the enclosure wall requirements and must not have a hand hole to reach through to the latch.</li> <li>self-closing with a permanent self-closing and latching mechanism (octopus straps or bungee cord are not acceptable as these tend to weather and fail)</li> <li>self-latching, with the latch positioned a minimum of 1.5m above ground level.</li> </ul> <p>Regardless of how far the gate is open, the gate must self-close and self-latch from any open position.</p>
The enclosure must not include a driveway gate or other vehicle entry gate.	The gate must not be of a size that a vehicle can gain access through the gate.
The enclosure may include another gate that is not self-closing and self-latching if the gate is not a vehicle entry gate, and otherwise complies with the requirements for the enclosure, and is kept securely locked whenever it is not in immediate use.	<p>Where a shed or detached garage is used for an enclosure, a roller door may be used as an enclosure wall providing it is permanently affixed or screwed closed or permanently locked.</p> <p>All or part of the enclosure must not be situated inside any part of the dwelling including habitable areas, attached laundry or attached garage which falls within the roofline of the dwelling.</p>
Enclosure minimum distance from boundary.	Completely caged or roofed enclosures must be a minimum of 1.5m from the property boundary. An enclosure which is partially roofed may be situated within 1.5m of the boundary providing the roofed area is greater than 1.5m from the boundary.
Weatherproof shelter	
The enclosure must include a weatherproof area appropriate for the dog.	<p>Must provide protection from the weather elements.</p> <p>Examples of a weatherproof area include:</p> <ul style="list-style-type: none"> <li>waterproof roofing affixed to all or part of the enclosure</li> <li>a kennel.</li> </ul> <p>A kennel utilised as a weatherproof shelter must not be placed in a way that may assist a dog in protruding or escaping the enclosure.</p>
Public Notice (issued by Council)	
A sign must be placed at or near each entrance to the relevant place for a relevant dog notifying the public that a relevant dog is kept at the place.	<p>The public notice sign issued by Council must be displayed at or near each entrance to the to the property.</p> <p>The sign must be displayed at a prominent position at the front of the property such as the letterbox, or at each entrance to the properties yard for example gates though the side fences into the rear yard.</p> <p>Please contact Council if you require a replacement sign.</p>
Muzzling and effective control	
The dog must not be in a place that is not the relevant place for the dog unless it is muzzled, and under the effective control of someone who has the control of no more than 1 dog at the same time.	<p>When at a place that is not the dogs registered place of residence, all regulated dogs must be under the effective control of a person who has the control of no more than 1 dog at the same time.</p> <p>When at a place that is not the dog's registered place of residence all regulated dangerous dogs must be muzzled. This includes where it is out of the enclosure.</p>

## Address change and ownership

If you change residential address, you must give the relevant local government notice of the person's new residential address within 7 days after making the change.

If the new residential address is in another local government's area, the person must also give the notice to the other local government.

A relevant person must not supply a declared dangerous dog or a declared menacing dog or a proposed declared dog to someone else unless—

- (a) the relevant person gives the other person a notice stating that the dog is a designated dog; or
- (b) the relevant person has a reasonable excuse.

You must notify Council within 7 days of moving to a new address.

A regulated dog owner is prohibited from exchanging, giving or selling a regulated dog to another person.

## More information

For further information on the mandatory conditions for keeping a regulated dog refer to the *Animal Management (Cats and Dogs) Act 2008*.

For more information on the systematic inspection program for regulated dogs contact Council:

- Visit: [www.moretonbay.qld.gov.au/Services/Animals/Regulated-Dogs](http://www.moretonbay.qld.gov.au/Services/Animals/Regulated-Dogs)
- Online: [www.moretonbay.qld.gov.au/Contact](http://www.moretonbay.qld.gov.au/Contact) or
- Email: [mbrc@moretonbay.qld.gov.au](mailto:mbrc@moretonbay.qld.gov.au)