



Keeping your dog in the front yard

Dog owners face potential legal problems when keeping their dog in or allowing it free access to the front yard of their property.

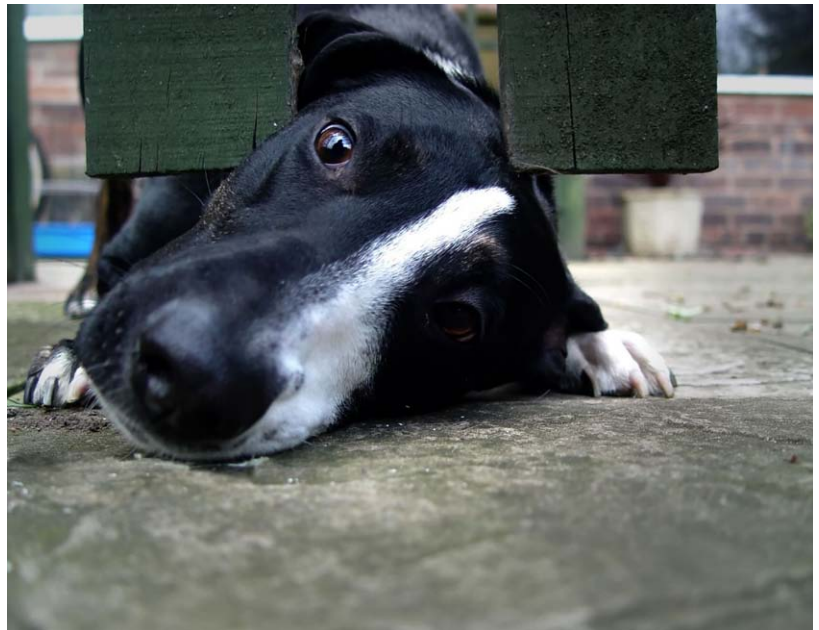
Under Section 43 of the Dog and Cat Management Act, 1995 an owner is guilty of an offence if their 'dog attacks, harasses or chases or otherwise endangers the health of a person'.

Where such an offence has been committed, Council has the power to:

- impose 'control' orders upon the owner to require them to keep the dog in a specific way or location
- impose a \$210 expiation fee or direct court action can be taken.

The dog owner can also be liable to civil action by the victim for damages (both actual and punitive) in addition to any prosecution by Council.

While the Dog and Cat Management Act, 1995 governs that dogs must be controlled when in a public place, there are no general controls on where dogs are kept on their owner's premises.



There are no general controls on where dogs are kept within the owner's premises, however they should not cause problems.

However, if the dog being in the front yard of premises was a significant factor in the offence, Council could make it a condition of a control order that the dog be kept in the back yard, or in a way that would prevent the offence from reoccurring.

For example, a dog rushes at a fence and a passing walker takes fright, trips over and is injured. As the walker's injuries are a direct result of

the dog's actions, Council could justifiably deem this to be an attack and take action against the owner.

Council highly recommends keeping dogs confined to the back yard of the premises.

For further information, contact an animal management officer on 8416 6333 or via email csu@wtcc.sa.gov.au.