

Shut that bloody dog up!!! - Measuring dog barking nuisance

Chris Button, City of Onkaparinga

A persistently barking dog can become a serious problem in a community. The disruption from this barking can have adverse effects on neighbouring residents and can cause a significant amount of work to the Animal Management Officer who has the good fortune to be sought out to resolve the problem.

The City of Onkaparinga deals with in excess of 200 dog barking complaints each year. Improvements to our procedures in dealing with these complaints and a proactive approach to investigation has resulted in over 90% of these complaints being resolved within 14 days of the complaint being received. The other 10% have the potential to go on forever, consuming endless amounts of resources.

One reason for that 10% taking up so much resource is the level of emotion that can be attached to the issue. The noise from a barking dog enters your home and disturbs the personal sanctuary you have established for yourself. It can interfere with your relaxation and your sleep and turn your once peaceful home into a nightmare.

Often a barking dog complaint is made as the result of a broader dispute between neighbours and this can be the hardest dispute to resolve. In these cases there is little tolerance between the parties and some complaints in these cases are vexatious and made as "revenge" for other perceived slights.

The legislation when dealing with these cases can also be difficult to enforce or by its every wording make proving an offence difficult. In South Australia the Dog and Cat Management Act deals with barking dogs in the following manner:

"A person who owns or is responsible for the control of a dog is guilty of an offence if the dog (either alone or together with other dogs, whether or not in the same ownership) creates a noise by barking or otherwise, which persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of a person."

Proving that a barking problem "persistently occurs" or "continues to such a degree" that it "unreasonably interferes....." can be a problem, and can very much depend upon which magistrate you appear before. This could explain a degree of reluctance from AMOs to proceed with such prosecutions.

Don't despair!!! Over the past two years we have seen and heard of the proto type "Bark Counting Collars" that are being developed by Animal Behaviour Systems. These collars collect data on the number of barks registered per hour and when this information is loaded into a computer shows either by spreadsheet or graph the barks per hour for a period of up to 10 days.

The City of Onkaparinga has had a number of prototypes of this device that we and other South Australian Councils have been able to use to resolve dog barking complaints. These are particularly useful when there is a suspicion that the complaint is vexatious or when there is some doubt surrounding which dog is barking excessively. Using these devices it appears that there are still two constraints to be able to effectively and quickly deal with allegations of dog barking nuisance:

1. The dog barking collars can only be used with the co operation of the dog owner.
2. There is no standard available that tells us what constitutes barking nuisance

With regard to (1) above this has not been a problem in cases we have dealt with to date but it is anticipated that this may be an issue in the future. It may be the case that, once these collars have been proven to be effective, we may be given powers to compel owners to allow the device to be used. But don't hold your breath!! The use of the persuasive powers of the AMO will be the most likely way that we will get dog owners to cooperate in the use of these collars.

The development of a dog barking nuisance standard is something that I believe is very achievable. In June 2006 we engaged Peter Maddern and Associates, Consulting Engineers to take the first steps in developing this standard. We have used Peter on several occasions in the past when dealing with noise nuisance problems from hotels, discos etc.

Peter agrees that the development of such a standard is achievable. At the time of writing Peter has measured the "soundpower" of a number of different dogs and has been able to arrive at an acoustic level that describes an "average dog bark". It was found in this process that there was not significant variation in the "soundpower" between small, medium and large dogs.

It is now intended to "model" this information with scientific methodologies that have been used in the past to subjectively measure personal reaction to noise nuisance.

The result of this process will be that we will produce a standard that indicates how many barks it takes over a given period of time to cause unreasonable nuisance to a person. In this case a neighbour with a dog barking complaint.

It is acknowledged that there will always be variables that will increase or decrease the impact of noise nuisance. The intention of this process will be to produce a standard that AMOs can use as a guide to assess barking nuisance (similar to the dog attack severity scale). This standard will have a sound scientific basis and should be able to withstand the scrutiny of a prosecution.

I will take great pleasure in delivering the draft standard to the UAM conference and look forward to the debate that will surely follow. In the end I hope we will be better able to "Shut that bloody dog up!!!"

Chris Button

Chris has a background and qualifications in Human Resource Management. He has worked in Local Government for the past 13 years. With eight years experience managing Animal Managements Officers, Chris is currently employed as Manager Public Health and Safety at the City of Onkaparinga. This position entails the management of the General Inspectorate, Environmental Health, and Emergency Management functions of the largest Council in South Australia.

In addition to the operational aspects of this position, Chris is currently focusing on performance measurement and the utilisation of technology by within the regulatory environment.