

TOWN OF CLAREMONT

APPLICATION FOR EXEMPTIONS OF LIMITATIONS OF NUMBER OF DOGS (*DOG ACT 1976*)

Chief Executive Officer
Town of Claremont
Number One Claremont
PO Box 54
CLAREMONT WA 6910

I (print name)

OF

POSTCODE: _____ PHONE: _____ (H) _____ (W)

Hereby apply as per the provisions of Section 26 (3) of the *Dog Act 1976* requesting the Town of Claremont to grant an exemption to the limitation of numbers of dogs as per the Dogs Local Law.

I request to keep _____ dogs on the above premises.

Please enter dog details below.

BREED	SEX	NEUTERED Y/N	COLOUR	NAME	AGE	REG NO
1.						
2.						
3.						
4.						
5.						
6.						

Have any legal proceedings for contraventions of the Dog Act brought against you? If so please detail below;

I understand and agree to comply to all conditions as required by Council.

Please attach any further supportive documentation you consider will assist CEO to approve this application.

Are you the legal land owner?

Yes

No

If No, please provide, with this application, approval in writing by the land owner or agent.

PLEASE NOTE: There is a \$150 one off application fee that must be paid to the Town of Claremont when making this application.

SIGNATURE

DATE

Application Information

Section 26 of the *Dog Act 1976*

Part V — The keeping of dogs

26. Limitation as to numbers

- (1) The provisions of this Part shall not operate to prevent the keeping on any premises of 2 dogs over the age of 3 months and the young of those dogs under that age.
- (2) Subject to subsection (1), a local government, pursuant to local laws, may limit the number of dogs over the age of 3 months, or the number of such dogs of any specified breed or kind, that may be kept on any premises situate in a specified area to which those local laws apply unless those premises are licensed as an approved kennel establishment or are exempt.
- (3) Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption —
 - (a) may be made subject to conditions, including a condition that it applies only to the dogs specified therein;
 - (b) shall not operate to authorise the keeping of more than 6 dogs on those premises; and
 - (c) may be revoked or varied at any time.
- (4) Subject to the provisions of subsection (3), a person who keeps on any premises, not being premises licensed as an approved kennel establishment, dogs over the age of 3 months in numbers exceeding any limit imposed in relation to those dogs by a local law made under subsection (2) commits an offence.

Penalty: \$1 000 and a daily penalty of \$100.

- (5) Any person who is aggrieved —
- (a) by the conditions imposed in relation to any exemption from the provisions of a local law placing a limitation on the number of dogs that may be kept on any premises; or
 - (b) by the refusal of a local government to grant such an exemption, or by the revocation of an exemption,

may apply to the State Administrative Tribunal for a review of the decision.

- (6) An application under subsection (5) cannot be made later than the expiry of a period of 28 days after the day on which a notice of the decision is served on the person affected by that decision.

[Section 26 amended by No. 23 of 1987 s. 22; No. 14 of 1996 s. 4; No. 24 of 1996 s. 16; No. 55 of 2004 s. 256 and 268.]

Town of Claremont – Dog Local Law 2012

Document in full is available on www.claremont.wa.gov.au

3.2 Limitation on the number of dogs

- (1) This clause does not apply to premises which have been granted an exemption under section 26(3) of the Act.
- (2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act, 2 dogs over the age of 3 months and the young of those dogs under that age.