

Peoria Police Department
Animal Control
(623) 773-8311



Neighborhoods and
Barking Dogs

The Animal Control Unit of the Peoria Police Department is dedicated to helping preserve the quality of neighborhoods by reducing animal control related disturbances and nuisances, while protecting the rights of animal owners to own and enjoy their pets. The most common animal disturbance that Peoria animal control officers respond to are barking dog complaints. It is a violation of Peoria City ordinances for a dog owner to disturb another resident's peace by allowing their dog to bark excessively and unreasonably.

It is not a violation for a dog to bark. It is only a violation if the dog is barking excessively and unreasonably. When determining if a dog is barking excessively and unreasonably animal control officers consider the following:

- How often the dog barks and for how long
- What time of day the dog barks

- How loud the dog is barking
- If there is some other disturbance that is causing the dog to bark

Education and Warning

The most effective way to solve a barking dog problem is to try and work with the dog owner and the neighbors. Animal control officers will try to resolve barking dog problems by educating dog owners. Often dog owners may not know that their dog is disturbing another person, or they may not know that their dog barks when they are away. Some dog owners are not aware that there are laws regulating animals making excessive noise.

There is no way to immediately change a dog's behavior. Animal control officers will work with dog owners who are sincerely trying to resolve the problem. Sometimes the first attempt to change a dog's behavior doesn't work or only partially reduces barking. Different or additional techniques may be necessary. Accurate information is essential to solving the problem. Knowing when, how, and why a dog is barking helps animal control officers assist dog owners in finding the best way to change their dog's behavior. While a complainant's perception may be that the dog barks "all the time, non-stop", such generalizations make it difficult to isolate a true problem and also to convince a dog owner that there is really a problem.

Tips for Dog Owners

- Monitor the dog; assess the problem, if all is OK, tell the dog to be quiet.
- Dog obedience training:
 - Train the dog yourself using do-it-yourself books from a library or special interest classes at a community college.
 - Professional training.
- Buy a barking dog collar or other behavior modification products for barking, which can be found at local pet stores.
- Ask yourself why the dog is barking. Is it lonely, frustrated, etc? Providing toys and playing music or other soothing sounds may help.
- Don't make a big thing out of leaving or returning home. Overly excited dogs are more likely to bark.
- Buy a kennel to fit the size of dog or larger for comfort and put the dog in the kennel inside your house.
- Think about the time of day that the barking is a problem.
- Move dog to other side of property away from the complaining neighbor, if possible.
- Confine dog to a smaller area of the yard away from neighbors.

- Walk the dog instead of leaving it in the yard alone. This will help the dog become more familiar with its surroundings.
- Keep the dog inside the house, garage (**temperature permitting**), or in a kennel/cage during times of barking. This allows for the dog to still be a watchdog. Even large dogs usually adapt well to being in a kennel.
- Contact other sources such as your veterinarian or animal trainer for other ideas. The Arizona Humane Society Education line at (602) 997-7586 ext. 3001/1024 is available to help.

Criminal Prosecution

If a dog owner refuses to take reasonable efforts to control a dog's barking, or if after a reasonable amount of time the problem has not been resolved, animal control officers will then pursue criminal prosecution of the dog owner. Like any criminal offense, animal control officers must be able to prove in court that a crime has been committed by the accused.

To charge a dog owner, animal control officers must be able to present evidence in court that a dog is barking excessively and unreasonably, and that such barking is disturbing the peace of another Peoria resident. This requires that there be a victim willing to testify in court as to how their peace has been disturbed and an additional independent witness to the dog's excessive and unreasonable barking. This additional witness is usually an animal control officer. Under no circumstances can prosecution of a barking dog offense occur without a victim who is willing to testify in court.

Neighborhood Mediation

Sometimes a dog's barking does not rise to the level of being excessive and unreasonable, yet it still disturbs a neighbor. When this occurs, animal control officers frequently will recommend the Department's neighborhood mediation program to the neighbors to see if an agreeable solution can be worked out. Mediation is free, strictly voluntary, and has had a high degree of success in resolving neighborhood problems. Animal control officers can assist you in arranging neighborhood mediation, or you can contact the mediation coordinator at (623) 773-5058.

Protecting Civil Rights

Animal Control Officers work hard to investigate and solve barking dog problems, but there are some things we are not lawfully allowed to do. These include:

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| -Unlawfully enter a dog owner's property | -Take a pet from an owner to stop the barking |
| -Order a pet owner to remove an animal from their property | -Order a pet owner to keep their pet inside |
| -Prosecute anonymous complaints | -Prosecute complaints where the victim is unwilling to testify |
| -Prosecute complaints where there are no witnesses | -Use audio or video recordings instead of witnesses |
| -Use witness statements that are general in nature | -Issue multiple warnings on anonymous or unfounded complaints |

Unfortunately, there are people who make false or exaggerated complaints about a neighbor's barking dog, whether to expedite service, out of frustration over an ongoing neighbor dispute, or as an act of revenge or to deliberately harass a neighbor. Persons making such statements may damage their credibility as a witness in court, and deliberately making false complaints about a neighbor's dog is a crime. It is the policy of the Animal Control Section of the Peoria Police Department to pursue prosecution of all malicious false reporting.

It is not uncommon for city ordinances to disallow anonymous complaints and require two witnesses. In Peoria, dog owners can be contacted a limited number of times if a complaint cannot be substantiated or if the person making the complaint does not wish to aid in prosecution. Once an anonymous complaint has been found to be unsubstantiated, investigation will continue only if a known witness steps forward.