

BARKING DOG COMPLAINTS

PROCEDURES

Our Animal Control Officers are here to help resolve complaints regarding barking dogs through communication, education, and if necessary, legal process.

In circumstances where an individual is affected by noise from a barking dog(s), then it is necessary for that individual to communicate directly with the owner of the dog(s) and seek a resolution to his or her concerns. Where a satisfactory resolution is not achieved, then the individual affected by the noise from a barking dog should seek the assistance of the Humane Society of Cowlitz County Animal Control.

Upon receipt of a complaint regarding a barking dog, the Humane Society of Cowlitz County shall enter the complaint into the department's complaint tracking system.

An advisory letter will be sent to the occupant of the premises from which the barking has allegedly been heard. The letter will include a copy of the ordinance as well as indicate a complaint has been received and shall include a caution that further complaints may lead to legal action, including fines for each incident. The responsible party will be granted a (10) ten day correction period to resolve the issue.

Upon receipt of a second complaint and after the (10) ten day correction period, the reporting person(s) can request a complaint form that requires him/her to log the dates, times and duration of the barking dog(s). The complaining person(s) must be willing to testify under penalty of perjury in civil court. If he/she is unwilling to testify, then the process of the complaint will be terminated.

Upon submission of the statement form an officer will determine if there is sufficient evidence to proceed with a civil infraction. If there is insufficient evidence, then a review letter will be sent to the complainant.

Barking Dog Complaints will not be accepted anonymously. The complainant must go on record as the person who is disturbed by the nuisance barking situation. A complaint cannot be filed by a person on the behalf of another party. As an example, a property management company, or a landlord, cannot file a barking complaint on behalf of one of their tenants. Also, Barking Dog Complaints are considered public records. As such, the animal owner or responsible party may be provided the name and address of the complainant should they request such information.

If the dog(s) are located in city limits a search will be done to ensure that there is a valid dog license issued for a dog(s) of an owner at the address reported.

POLICY OBJECTIVES

The objective of this policy is to provide residents and staff with clear direction for resolving the nuisance caused by barking dog(s).

POLICY STATEMENT

The Humane Society of Cowlitz County recognizes that dog(s) bark for natural reasons and that in some instances the noise from a barking dog(s) can be considered a nuisance.

“A dog(s) that barks, bays, cries, howls or makes any noise for an unreasonable period of time. A dog will not be considered a "barking dog" if, at any time the dog is barking at a person that is trespassing or attempting to trespass upon private property in or upon which the dog is situated, or when the dog is being teased or provoked”.

“A responsible person is one who allows a barking dog(s) violation to exist, whether through willful action, failure to act, or failure to exercise proper control over a barking dog.” There may be more than one “responsible person” for a barking dog violation. Examples of responsible persons include but are not limited to; the person who allows the dog to bark and fails to exercise proper control over the barking dog(s); a person whose agent, employee or independent contractor, who allows a dog to bark and fails to exercise proper control over the barking dog; or the person who is the owner of the property, or a lessee or sub lessee with the current right of possession of the real property in or upon which a barking dog violation occurs.

The original barking complaint will remain on file and active for (30) days after the initial (10) day correction period. If a second complaint is not received from the original complainant in (30) thirty days, the complaint shall expire and the complainant must begin the process again.

BARKING DOG COMPLAINT FORM

This document and the log sheet must be completed in full,
Signed and returned to Humane Society of Cowlitz County. This is needed to allow a barking dog owner to
be summoned into court by the prosecutor. All complainants signing below MUST be willing to appear in
court or the summons WILL BE dismissed.
(PLEASE PRINT ALL DETAILS)

Complainant's name:

(Your name)

Address:

(Your address)

Your Contact phone

Home:

Business:

Mobile:

Name of Animal Owner (if known)

Address of offending dog/s:

Description of dog/s:

(Color and breed of dog/s)

Have you verified where the barking is coming from?

YES/NO

Have you seen the dog/s barking?

YES/NO

Have you spoken/ notified the animal owners about this problem?

YES/NO

If YES, please supply the date and how the owner was notified below:

Date:

How notified:

Date:

How notified:

Date:

How notified:

Are you prepared to testify in court?

YES/NO

Have any of your neighbors mentioned this problem to you?

YES/NO

If YES, are they prepared to support your claim?

YES/NO

If YES, please supply their name and address and contact details below:

- Complainants/ witnesses must be 18 years or older, reside in the area affected, and live in separate residences. The more complaints the stronger the case. All complainants must complete the information below.

Witness 1 Name: _____

Address: _____

Phone: _____

Witness 2 Name: _____

Address: _____

Phone: _____

This is NOT the formal summons to court. The formal summons cannot be served until these steps are completed.

I, the undersigned, wish to lodge a formal complaint with the Humane Society of Cowlitz County in relation to the dog/s described above which bark persistently to such a degree that it is unreasonable. I hereby declare under penalty of perjury that the information on this complaint is correct.

Signature of complainant: _____

Date: ____ / ____ / ____

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How to complete a barking dog log

Your accuracy in recording the nuisance barking is of extreme importance as it may be presented as evidence in court. Please create a detailed log as the example indicated below, and attach the log with the complaint form.

EXAMPLE OF LOG ENTRY

DATE	Time barking started	Time barking stopped	Barking for how long?	Reason for barking (For example, person walking past, weather, Another animal, aircraft)
11/02/2020	3:00 pm	3:02 pm	2 minutes	Nobody in street
11/02/2020	3:10 pm	3:13 pm	3 minutes	Man walking dog
11/03/2020	3:18 pm	3:18 pm	1 minutes	Nobody in street
11/03/2020	3:28 pm	3:30 pm	2 minutes	Children in street
11/04/2020	3:33 pm	3:33 pm	1 minutes	Nobody in street
11/04/2020	3:45 pm	3:47 pm	2 minutes	Plane passing over
11/05/2020	3:52 pm	3:52 pm	1 minutes	Nobody in street
11/05/2020	3:58 pm	4:03 pm	5 minutes	Cat on fence
11/05/2020	5:22 pm	5:24 pm	2 minutes	Neighbor returned home

This may seem excessive, but remember, this log may be used as evidence in court.

Animal Control Officers generally are not able to witness/ hear the noises, so the evidence needs to come from those impacted by the problem.

Mail your completed form and log to:

Humane Society of Cowlitz County
Animal Control Division
P.O. B ox 172 – 909 Columbia Blvd
Longview, WA 98632

**Email your completed form and log to:
frontdesk@cowlitzhumane.com**

