



Holmes County Dog Warden's Department

5387 County Road 349

Millersburg, OH, 44654

(330) 674-6301

[www.holmescountydogwarden.com](http://www.holmescountydogwarden.com)

## **INFORMATION AND INSTRUCTIONS FOR COMPLETION OF THE BARKING DOG COMPLAINT**

In order to provide the most efficient method to resolve frequent and habitual barking dog cases, the Holmes County Dog Warden's Department has developed a formal procedure to effectively abate barking dog nuisances. Here is a basic outline of the process:

- The complainant must pick up at the Dog Warden's Department or request one be mailed, a barking dog complaint form. This complaint form must be completed and submitted to the Dog Warden's Department prior to any action being taken. Although not required, the Dog Warden's Department requests that time and date stamped audio and video of the barking be submitted with the completed complaint. As the complainant it is your responsibility to collect sufficient evidence that proves frequent and habitual barking, howling or yelping of the dog creates unreasonably loud and disturbing noises of such a character, intensity and duration as to disturb the peace, quiet and good order of the county.
- Please provide all the information that is requested by the Dog Warden's Department. No anonymous complaints will be accepted.
- Once the complaint is filed, the Dog Warden or a Deputy Dog Warden will review it and if he or she determines that a violation exists, within 10 days he or she will respond to the place where the nuisance exists, to address it. The nuisance dog owner, keeper or individual harboring the dog will be made aware of the complaint, will be given a written warning and educated on how to prevent barking in the future. The dog owner has 10 days to comply after a written warning is issued.
- If the nuisance dog owner, keeper or harbinger has failed to comply with the Dog Warden's orders and a second complaint is submitted (via phone or in person) from the complainant after the 10 days, the complainant is instructed to contact the Dog Warden's office when the nuisance is occurring. At that time (time and resources permitting) the Dog Warden, a Deputy Dog Warden or other Law Enforcement officer authorized to enforce this section will be dispatched to the location where the nuisance exists and monitor for a violation. It will also be requested that the complainant document dates and times the dog or dogs bark after the 10-day warning ends.
- If it is determined by the Dog Warden or a Deputy Dog Warden that a violation did occur, the nuisance dog owner will be issued a citation under 955.221 a minor misdemeanor.

**COMPLAINANT INFORMATION:** The complainant information shall be the person/victim of the nuisance dog report. The complainant must provide their full name, address, telephone number(s). The complainant's information will be kept anonymous during the initial stages of the report. Keep in mind the complainant is reporting a crime. In order for a crime to exist, there must be a victim. The Dog Warden's Department cannot be the victim for you. The department is required to generate a police report and conduct an investigation. Without a complainant/victim, there will be no investigation initiated. If the investigation leads to a citation and/or hearing, the complainant information may be revealed at that time.

**DOG OWNER INFORMATION:** The complainant must provide the address of where the nuisance dog exists. Please provide the name of the dog owner if it is known. If name is not known you may leave that section blank, however, the address is required.

**COMPLAINT INFORMATION:** The complainant should list all dogs causing a nuisance. Please provide if possible the size, color, and type of hair for the dog or dogs. Listing specific details such as breeds, and names of the dogs will be useful in the investigation. Although very helpful, specific breeds and names of the dogs involved are not required to submit a complaint. Dates and times barking occurs is however a requirement.

A minimum of Five (5) dates and specific times of continuous barking is required. Please note whether the time is *a.m.* or *p.m.* Any dog or dogs listed on the form will be included during the dates and times listed as causing a nuisance. Based on the information listed, the Dog Warden's Department will determine if the Holmes Counties excessive barking or howling dog's ordinance has been violated.

*EXAMPLE:*

Small	Terrier mix, brown (wire-haired)	1/1/13	6:00am	9:00am
Medium	American Eskimo, white, long hair	1/2/13	7:00am	8:30am
Large	German Shepherd, black/tan "Bear"	1/3/13	6:30am	9:30am

Please answer the questions related directly to the nuisance complaint with clear and concise responses.

**ADDITIONAL WITNESSES:** The complainant may provide additional witnesses that have also been affected by the nuisance dog or dogs. Witnesses must reside at a different residence from that of the main complainant and within the immediate vicinity of where the nuisance dog exists. Witnesses must be willing to provide their full information and a statement to the Dog Warden's Department when requested at any time during the investigation.

**DECLARATION:** The complainant must read the declaration and sign and date the report. Please note that submitting a false report is a criminal offense.

## CONCLUSION

We sincerely hope that this procedure which has been developed will work efficiently to solve the nuisance dog problem. The criminal process may not always be the best solution to solving the problem; therefore, we encourage citizens to attempt to solve the problem by reaching out to their neighbors or by using local mediation services if available. An additional remedy to the complainant is to file their own civil action lawsuit against the dog owner in court and attempt to receive a restraining order.

If you have any questions regarding this process, please contact the Holmes County Dog Warden's Department at (330)-674-6301

**Any information that is vague, unclear, missing, or not legible will cause the form to be returned to the complainant for clarification thus delaying the process.**

