



Maui Humane Society
1350 Mehamaha Loop
Pu'unene, Hawai'i 96784
808-877-3680 Office
808-877-5033 Fax
info@mauihumanesociety.org

To: _____

Date: _____

Dear Complainant:

A barking dog complaint is a difficult problem to resolve. Humane Enforcement requires your assistance and cooperation to obtain sufficient information in order to file charges in court, should prosecution become necessary. The complaint form method has been successful with respect to legal action. The following steps will guide you through the complaint process. ***It is imperative that you read and understand this letter before filling out your barking violation form.*** While many barking complaints become resolved once the dog owner is made aware of the problem, there are times when prosecution is the only alternative to seek resolution.

Maui County Code 6.04.010 defines **Excessive Barking** as follows:

“Excessive barking means continuous and/or incessant barking, baying, crying, howling, or any other noise which disturbs any person at any time of the day or night for ten consecutive minutes or intermittently for twenty minutes; provided, however, that barking shall not be deemed excessive if such barking is the result of a trespass or threatened trespass by a person or persons on private property on which the dog is situated or is the result of a person teasing or otherwise provoking the dog.”

- 1.) Enclosed are 3 copies of the violation form. Please complete **1 copy only** and return it in person to Maui Humane Society at the address listed above. Retain the remaining violation forms should you need to make additional complaints. The information you provide on the violation form **must have the specific dates, times and duration of the excessive barking. Officers will not respond to written complaints that do not have the specific dates, times and duration of the excessive barking.** Please describe the dog/s to the best of your ability and **identify which dog/s is responsible** for the excessive barking. Lastly, it is imperative that **the dog owner's exact address** is provided.
- 2.) It is **strongly** recommended that you record audio and or video evidence of the offending dog/s when barking excessively **and** during the dates and times you have listed on the violation form. This evidence may become crucial in securing a criminal conviction should prosecution become necessary. Do not submit your evidence to Humane Enforcement. Keep the evidence in your possession until such time it is required in court.
- 3.) Upon receipt of the completed and signed violation form, Humane Enforcement will initiate an investigation and advise the dog owner in writing that a barking complaint has been received. An information guide will be provided to the dog owner detailing how to resolve a barking problem. **The dog owner shall then have 7 days in which to correct the problem.**
- 4.) Should the excessive barking continue after the 7 days, you will need to submit a second completed violation form. Officers will issue a warning letter advising the dog owner that an additional complaint has been received and that their

case may be referred to the Prosecutor's Office for further legal action. The dog owner will then have another 7 days in which to correct the barking problem.

5.) If after the 7 days, the excessive barking persists, complete and submit the third violation form. Once received by our agency, the case will be referred directly to the Prosecuting Attorney's Office. You will be contacted by their office and will be required to appear in court to testify against the dog owner. Witnesses that may lend support to your case are encouraged. After we refer your case to the Prosecutor's Office, any inquiries as to the status of your case must be made directly to their office. Their number is 270-7787.

Barking problems can be difficult to resolve and can cause great stress and friction in a neighborhood. We strongly recommend the use of a mediation service in an effort to reach an equitable solution to a barking dispute. Mediation services have proven to be very successful in helping to settle neighborhood conflicts. Should you decide to seek mediation services, please contact:

Mediation Services of Maui
244-5744

Judge Boyd P. Mossman
244-2121

B. Newman
878-3011

Silver Fox Legal Services
244-7703

Without the help of concerned citizens like yourself, Officers would not be able to achieve the necessary documentation for successful resolution. We thank you for your cooperation, patience and perseverance. Please feel free to contact our office at 877-3680 ext. 211 should you have any questions.