



STATE OF ARKANSAS
OFFICE OF THE ATTORNEY GENERAL
JUSTICE BUILDING, LITTLE ROCK 72201

STEVE CLARK
ATTORNEY GENERAL

March 19, 1985

(501) 371-2007

OPINION NO. 85-92

The Honorable William P. Mills
State Representative, District 45
200 Searcy Street
Kensett, Arkansas 72082

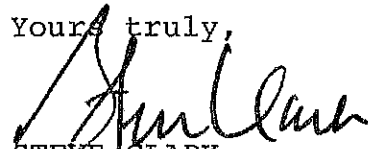
Dear Mr. Mills:

This letter is written in response to your opinion request in which you ask whether a city dog catcher is authorized to issue a citation for violation of a city ordinance and what procedure there is to give a dog catcher such authority.

Cities of the first and second class and incorporated towns are empowered to enact ordinances to prevent the running at large of, inter alia, dogs in the city limits. Ark. Stat. Ann. §19-2503 (Repl. 1980). Your inquiry probably stems from a concern whether dog catchers or other personnel enforcing such an ordinance need be a certified law enforcement officer in accordance with Ark. Stat. Ann. §§42-1001, et. seq. (Repl. 1977), and regulations promulgated by the Executive Commission on Law Enforcement Standards. Under Ark. Stat. Ann. §42-1009(b) (Cum. Supp. 1983), " . . . inspectors and code enforcement officers of cities and towns" are specifically exempted from the requirements of these rules and regulations. A dog catcher would be exempt under this language.

The foregoing opinion, which I hereby approve, was prepared by Assistant Attorney General Theodore Holder.

Yours truly,


STEVE CLARK
Attorney General

SC:TH:eac