

DOG CONTROL OFFICER (DCO) DUTIES & RESPONSIBILITIES

Article 7, §113 of the Agriculture and Markets Law states that each municipality in which dog licenses are issued, shall appoint one or more DCOs (or contract for such services) for the purpose of assisting with the control of dogs and the enforcement of Article 7 within the municipality. A list of required job duties should accompany the appointment.

Every DCO has the power to issue an appearance ticket pursuant to the Criminal Procedure Law, to serve a summons and to serve and execute any other order or process in the execution of the provisions of Article 7.

Every DCO shall promptly make and maintain a complete record of any seizure and subsequent disposition of any dog. Seizure and disposition information must be provided during annual AGM Inspection. Records must be kept for three (3) years.

Per Article 7 §117 any DCO shall seize:

- ✳ Any dog which is not identified and which is not on the owner's premises, 117.1a,
- ✳ Any dog which is not licensed whether on or off the owner's premises, 117.1b,
- ✳ Any licensed dog not in control of or not on the premises of the dog's owner or custodian if there is probable cause to believe the dog is a dangerous dog, 117.1c,
- ✳ Any dog which poses an immediate threat to public safety, 117.1d - Promptly upon seizure the DCO shall immediately commence a dangerous dog proceeding.
- ✳ Any dog in violation of any local law or ordinance relating to the control of dogs.
- ✳ DCO may return dog with a current license directly to owner of record, 117.1-a

The DCO does **NOT** have authority to seize a dog from an owner's premises without a court order- unless such dog is not in the control of the owner and is believed to be dangerous or poses an immediate threat to public safety. Law Enforcement assistance may be required to enforce such court order.

Promptly upon seizure of an identified dog, the seizing officer (not the shelter) must notify the owner of record that their dog has been seized, where it is impounded and how many days they have to redeem it. * Refer to Notification of Seizure Form

Any seized dog suffering from illness or serious injury must receive prompt treatment by a licensed veterinarian. A commonsense evaluation of the seized dog by the DCO is necessary to determine when that care is necessary.

The county health department is responsible for handling rabies cases. The DCO has **NO** authority to handle such events but may be called by the county for assistance. If the health department wishes to use DCO services, an agreement should be in place with the appointing municipality. It should specify the duties expected of the DCO.

Law Enforcement is responsible for handling **ALL** animal cruelty/neglect complaints. The DCO has **NO** authority to investigate, seize, issue citations or prosecute pursuant to Article 26 of the Agriculture and Markets Law. The DCO may be asked to assist Law Enforcement with the capture and transport of dogs seized by Law Enforcement in such cases.

"Animal Control Officers"- under Article 7, the DCO has **NO** authority to seize, capture or transport any animals other than dogs. Such authority must be established through local law and such duties should be detailed in the job description. DCOs may be asked to assist Law Enforcement with the capture and transport of animals other than dogs to the extent that they are able and equipped to provide such assistance.