

# Chapter 5

## POLICE DEPARTMENT



- 5.01 Office of Village Constable Abolished
- 5.02 Departmental Organization
- 5.03 Appointment and Termination
- 5.04 Powers and Duties of the Police Chief
- 5.05 Police Officers
- 5.06 Police/Fire Alarms
- 5.07 Abandoned or Unclaimed Property

### **5.01 Office of Village Constable Abolished.**

The village pursuant to Wis. Stats. §66.01 has by its Charter Ordinance No. 2 elected not to be governed by the portion of Wis. Stats. §61.29 providing for the appointment of a village constable.

### **5.02 Departmental Organization.**

The police department of the village shall consist of the chief of police and such other police officers as may be authorized by the village board.

### **5.03 Appointment and Termination.**

- (1) **Appointment.** The police chief shall be appointed as provided in section 1.03 of this code. Police officers shall be nominated by the personnel and public health and safety committees and appointed by the village board.
- (2) **Termination.** The police chief and officers may be dismissed only within the provisions of Wis. Stats. §62.13(3) and §62.13(5m).

### **5.04 Powers and Duties of the Police Chief.**

The chief of police shall possess the powers of Marshall and constable under Wis. Stats. Chapter 61 and shall perform the following duties in addition to the duties set forth in Wis. Stats. Chapter 61:

- (1) be responsible for the administration and supervision of the police department under the supervision of the administrator;
- (2) have all of the rights and responsibilities defined in the ordinances of the village and Wisconsin Statutes;
- (3) subscribe to the powers and duties as defined by the position description of the police chief as adopted from time to time by the village board and incorporated

herein by reference;

- (4) perform other duties as directed by the administrator or village board and provisions of this code.

#### **5.05 Police Officers.**

- (1) Each officer of the department shall preserve the public peace and enforce the laws and ordinances of the state and village subject to the orders, rules, and regulations of the police chief and the village board.
- (2) Each officer shall subscribe to the powers and duties as defined by the position description of police officers as adopted from time to time by the village board and incorporated herein by reference.

#### **5.06 Police/Fire Alarms.**

##### **(1) Policy and Purpose.**

- (a) The purpose of this section is to establish controls and regulations applicable to the various types of intrusion, holdup, fire, and other emergency signals from devices that require emergency response, investigation, and safeguarding of persons or property at the location of an event reported by a signal which is transmitted by telephone line or otherwise relayed to the designated communication center from a mechanical or electrical alarm device including those alarms already in use within the village.
- (b) The purpose of this section assure prompt, effective, and safe response to police/fire alarm signals, to encourage effective use of prevention measures, to guard against inefficient use of public resources, and to provide for the general public safety.
- (c) A "police/fire alarm" shall be defined as an installation of an operable alarm device (such as a smoke detector, heat detector, sprinkler head, pull station, or flow alarm) designed to be actuated by a criminal act, fire, fire product (such as heat, smoke, or gas) or other event requiring emergency response by a public agency which transmits a prerecorded message or other signal by telephone, radio, or other means to the village designated communication center or other alarm receiving facility.

##### **(2) Permit Provisions.**

- (a) **Permit required.** No person shall own, maintain, or operate any police/fire alarm in the village without first obtaining a license from the police chief or fire chief as hereinafter provided. A separate license shall be required for each structure or facility to be protected by such police/fire alarms and for each type of police/fire alarm maintained.
- (b) **Application Requirements and Procedure.** An application for an annual license, renewable January one of each year, shall be made to the village administrator. Such application shall contain specific information on the

nature of the business or facility to be protected, the nature of the police/fire alarm, type of occurrence to be detected, and other information which the administrator, in conjunction with the police chief, may determine to be reasonably necessary for safe and effective response to alarm signals by emergency personnel. Information contained in applications shall be for official use only and shall be held secure by the police chief and the fire chief.

- (c) **Fees.** The fee for such permit shall be as set from time to time by resolution of the village board.
- (d) **Operational Requirements.**
  - 1. The committee shall be responsible for maintaining the alarm system in proper working order. All security alarm systems shall be equipped with batteries in working order.
  - 2. The committee shall be responsible for responding in case the alarm is activated for the purpose of providing access to the building for police officers and for resetting the alarm. Under no circumstances shall a member of the police department reset an alarm.
  - 3. All security alarm systems shall be equipped with a minimum 20-second time delay in case the alarm is accidentally tripped. All local alarms shall be equipped with a fifteen minute automatic shut-off or some other secure method of turning off the alarm.
- (3) **False Alarms.** A false alarm shall be defined as any signal actuated by a police/fire alarm to which the police, fire, or other emergency personnel respond which is not the result of a criminal act, fire or other event requiring emergency response which the police/fire alarm was intended to detect or signal. An alarm test without prior written notification of at least twenty-four hours to the police chief or fire chief shall be considered a false alarm.
  - (a) No person shall own, maintain, or operate any police/fire alarm in the village which within one calendar year generates more than three false alarms for fire and/or three false alarms for police.
  - (b) Each false alarm in violation of subsection 5.06(3) shall constitute a separate violation. Special charges for false alarms shall be billed to the permit holder. If the bill is not paid in a timely manner, the fee involved shall be placed on the tax roll, pursuant to Wis. Stats. §66.60(16).

### 5.07 Abandoned or Unclaimed Property

- (1) Except as otherwise provided by law, personal property in the possession of the Police Department which has been abandoned or remained unclaimed for a period of 30 days after the taking of possession of the property by the Police Department as specified in WI. SS. 66.0139(2) may be disposed of by donation to any charity or philanthropic organization by any means determined by the

Chief of Police in his or her discretion, if he or she determines that the donation is in the best interest of the Village.