

CHAPTER 4

POLICE DEPARTMENT

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4.01 COMPOSITION OF POLICE DEPARTMENT. The Police Department of the City shall consist of the Chief of Police and such subordinates as the Council may designate.

4.02 SALARIES. The salaries of the Chief of Police and subordinates shall be fixed by the Council and they shall not be entitled to other compensation from the City. All fees and deposits collected or received by the Department shall be deposited with the City Clerk weekly.

4.03 DISCIPLINARY ACTION. Disciplinary action against the Chief of Police and subordinates shall be in compliance with sec. 1.19 of this Code.

4.04 CHIEF OF POLICE, POWERS AND DUTIES. (1) The Chief of Police shall possess the powers, enjoy the privileges and be subject to the liabilities conferred and imposed by law upon marshals and constables.

- (2) He shall obey all lawful written orders of the Mayor and the Council.
- (3) He shall cause the public peace to be preserved and see that all laws and ordinances of the City and State are enforced and, whenever any violation thereof shall come to his knowledge, he shall cause the requisite complaint to be made and see that the evidence is procured for the successful prosecution of the offender.
- (4) He shall exercise supervisory control over all the personnel of the Department and may adopt, subject to the approval of the Council, rules and regulations for the government, discipline, equipment and uniforms of police officers.
- (5) He shall be solely responsible for the care and condition of the equipment used by the Department.
- (6) He shall keep an accurate and complete record of all complaints, arrests, traffic violations, convictions and dispositions of the Department and shall present a monthly report thereof to the Council at its second meeting of each month.
- (7) He may suspend, without pay, for a period not exceeding 30 days, any police officer for cause, subject to the right of the aggrieved person to appeal to the Police Committee.

4.05 POLICE OFFICERS. (1) **GENERAL POWERS AND DUTIES.** Each officer of the Department shall possess the powers conferred on marshals and constables by law, shall preserve the public peace and shall enforce the laws and ordinances of the State and City subject to the orders, rules and regulations of the Chief.

- (2) **POWER OF ARREST.** The Chief of Police and any police officer shall arrest all persons in the City found in the act of violating any law or ordinance of the City or State or aiding or abetting in such violation, and they shall arrest without warrant all persons who they have reasonable grounds to believe have violated any law or ordinance and who will not be apprehended unless immediately arrested, shall take all arrested persons in charge and confine them, and shall, within a reasonable time, bring such persons before the court having jurisdiction thereof to be dealt with according to law.
- (3) **REPORTING DANGEROUS CONDITIONS.** The Chief of Police and any police officer shall report all street and sidewalk obstructions, unlighted street lamps,

unlawful street signs or signals and defective or dangerous streets and sidewalks to the Director of Public Works.

- (4) **ASSISTING FIRE DEPARTMENT.** Whenever necessary, any police officer shall assist the Fire Department in maintaining order at the scene of a fire.
- (5) **PERMITS AND LICENSES.** The police officers shall ensure that the necessary permits and licenses issued by the State or the City are in the possession of or are properly displayed by any person engaged in an activity or business within the City for which a permit or license is required and that the terms of such license or permit are complied with.

4.06 DEPARTMENT RULES. The Chief of Police shall prepare rules for the administration of the Police Department, which rules shall be in full force upon approval of the Council.

4.07 MUTUAL ASSISTANCE. In accordance with §66.0313, Wis. Stats., and policies established by the Council, the Chief of Police may respond to requests for police personnel from other governmental entities and may request said jurisdiction to provide police personnel to the City.

4.08 DISPOSAL OF ABANDONED PROPERTY. (1) **POWER OF DISPOSAL.** The Council or its designee shall have the power to dispose of any personal property which has been abandoned or remained unclaimed for a period of 30 days after the taking of possession of the property by City officers by any means determined to be in the best interest of the City.

- (2) **ELECTION OF DISPOSAL METHOD.** The Council or its designee shall have the power to elect whether to dispose of abandoned personal property by auction, sale open to the public, private sale, donation or otherwise.
 - (a) Sale. If abandoned property is disposed of by auction or sale, public or private, all receipts from the sale, after deducting the necessary expenses of keeping the property and conducting the sale, shall be paid into the City Treasury.
 - (b) Private Sale. If abandoned property is disposed of by private sale, the Council or its designee shall maintain an inventory of such property; a record of the date and method of disposal, including the consideration received for the property, if any; and the name and address of the person taking possession of the property. Such inventory shall be kept as a public record for a period of not less than 2 years from the date of disposal of the property.
 - (c) Donation. Abandoned or unclaimed bicycles may be disposed of by donation to not-for-profit, fraternal, religious, educational or civic organizations within the City. In the case of donation, the Chief of Police shall establish policies and procedures for the administration of donation programs and shall maintain the inventory record described in par. (b) above.
- (3) **FIREARMS.** Abandoned, unclaimed or seized firearms or ammunition may only be disposed of pursuant to §968.20, Wis. Stats.

4.09 SEX OFFENDER REGISTRATION. (1) The Chief of Police shall cooperate with, participate in and enforce the provisions of §§301.45 and 301.46, Wis. Stats., and those

portions of the Wisconsin Administrative Code promulgated by the Departments of Justice and Corrections to carry out the sex offender registration and notification program.

- (2) The Chief of Police shall develop and make available for the use of persons entitled to request information about sex offenders released into the St. Croix Falls community under §301.46(5), Wis. Stats., such request forms as may be necessary to enable such persons to have access to information provided to the Chief of Police by the Departments of Justice and Corrections regarding sex offenders residing, working and attending school in this City.
- (3) The Chief of Police shall maintain a file on all sex offenders about whom he has been provided registration information by the Departments of Justice and Corrections and a list of all entities and persons under §301.46(4) and (5), Wis. Stats., within the City who may be entitled to or who may request such information as required by law as necessary for the protection of the public.

4.15 PENALTY. Any person who shall violate any provision of this chapter of any rule, regulation or order made hereunder shall be subject to a penalty as provided in sec. 25.04 of this Code.