

CHAPTER 4

POLICE DEPARTMENT

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4.01 POLICE DEPARTMENT. (1) PERSONNEL. The Police Department shall consist of the Chief of Police and such police officers as the Village Board may prescribe by ordinance or resolution.

(2) SALARY: COLLECTION OF FEES. The Chief and the police officers shall receive a salary as fixed by the Village Board and shall not be entitled to any other compensation. All fees, bail deposits and other special remuneration or funds collected or received by the Department or any officers thereof shall be deposited with the Clerk-Treasurer not less than monthly.

(3) TENURE OF CHIEF, POLICE OFFICERS. The Chief of Police may be removed at any time for cause by a majority vote of the members of the Village Board. Other members of the Department shall be suspended or removed only pursuant to the process established in Sec. 62.13(5), Wis. Stats., and by the committee established under Sec. 1.03(6) [Ord. 523 8/02]

4.02 CHIEF OF POLICE, DUTIES AND POWERS. (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 President and Board.

(3) He shall cause the public peace to be preserved and see that all laws and ordinances of the Village 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 or offenders.

(4) He shall exercise supervisory control over all the personnel of his Department and may adopt, subject to the approval of the Board, 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 his department.

(6) He shall keep an accurate and complete record of all complaints, arrests, traffic violations, convictions and dispositions of the Department.

4.03 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 enforce the laws and ordinances of the State and Village subject to the orders, rules and regulations of the Chief, the President and the Board.

(2) **POWER OF ARREST.** The Chief of Police and any police officer shall arrest all persons in the Village found in the act of violating any law or ordinance of the Village or State or aiding or abetting in such violation, and they shall arrest without warrant all persons whom 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.

4.04 PRESIDENT AND TRUSTEES: POLICE POWERS OF. The President and the trustees shall have and exercise the powers of peace officers and may summarily suppress any riotous or disorderly conduct in the streets or public places of the Village.

4.05 STORAGE OF MOTOR VEHICLES. (1) The Chief of Police shall be in charge of the Village storage facility for junked motor vehicles or those involved in an accident or crime. As used in this section the term "motor vehicle" shall have the same meaning as set forth in Section 340.01, Stats.

(2) The Village Board shall from time to time, by resolution, establish the daily charge for storage of motor vehicles at the storage facility.

(3) The Chief of Police, or his/her designee, shall make the determination when charging shall begin for storage of an automobile at the storage facility. The Chief may allow motor vehicles involved in accidents or crimes to be stored until the conclusion of a reasonable investigation or other holding period without charge. The determination shall be left to the discretion of the Chief of Police. The Chief may in any event impose charges immediately upon commencement of storage subject to the notice requirement in subsec. (4).

(4) Before imposing a storage charge upon the record owner of a motor vehicle, the Chief of Police or his/her designee shall give notification to the owner of the motor vehicle by personal service, or by mailing a certified mail notice, with return receipt requested, to the last known address of the owner, and if the owner be unknown, then to the last record owner. Where certified mail return receipt is returned from the owner evidencing receipt by the owner of said notice, the charge for storage shall begin on that date. Where the receipt is returned indicating the mailing was refused,

charging shall commence on the date of the refusal to receive the certified mail notice. Where the receipt is returned indicating "addressee unknown" or in other manner to indicate the notice was undeliverable, then the charge for storage shall commence on the date said undeliverable notice is returned to the police department.

(5) No motor vehicle shall be returned to its owner until all costs of storage have been paid and the Village shall have a lien upon said vehicle for all costs of storage until paid. [Ord. 465]

4.20 PENALTY. Any person who shall violate any provision of this Chapter shall be subject to a penalty as provided in sec. 25.04 of this Municipal Code. [Ord 465]