

TITLE V

PUBLIC HEALTH AND SAFETY

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Chapter 16

POLICE

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16.01 ORGANIZATION

- (1) Having a population of less than four thousand (4,000), the City of Blair elects to organize its Police Department pursuant to Ordinance. As such, the City does not appoint a Board of Police Commissioners. Further, the City does not adopt Sec. 62.13, Wis. Stat., except as provided in Section 16.07 of this ordinance.
- (2) The City Council assumes responsibility for directing the activities of the Police Department. In directing the activities and duties of the Department, the Council delegates its responsibility in the following line of authority:
 - (a) Council
 - (b) Police Committee
 - (c) Chief of Police
 - (d) Members of the Department

16.02 DUTIES

- (1) Members of the Police Department shall be responsible for the maintenance of order, enforcement of law, enforcement of the City Ordinances of the City of Blair and carrying out any other lawful orders issued by the City Council. Members of the department shall have arrest powers as conferred by this Ordinance and State Law.
- (2) Members of the department shall act in a manner becoming a police officer, having regard for the safety and welfare of the citizens of the City and any visitors therein, and shall not use excessive force, employing only that amount of force necessary to protect the public and themselves in carrying out their duties.
- (3) As a Deputy of the Trempealeau County Sheriff's Department, a member of the City Police Department shall be available to assist in County Law enforcement as needed.

Sharing of services and compensation for same shall be the subject of mutual agreement between the City and Trempealeau County.

- (4) Notwithstanding subsection (3), a City Police Officer's first responsibility is the City of Blair.

16.03 PERSONNEL

- (1) The Police Department shall consist of a number of police officers as shall be deemed necessary by the City Council to maintain law and order.
- (2) The Department head shall be the Chief of Police. Reference is made to Section 5.05 of these Ordinances.
- (3) Members of the Police Department report to and work under the direction of the Chief of Police.

16.04 CHIEF OF POLICE

- (1) The Chief of Police shall be responsible to:
 - (a) Maintain accurate records of complaints, traffic violations, traffic accidents, ordinance violations, arrests and crimes.
 - (b) Maintain records and logs of all activity of members of the Department while on duty.
 - (c) Submit reports and comply with administrative procedures.
 - (d) Assign hours of duty within the Department.
 - (e) Plan, organize, direct and control the resources of the Department for the effective and efficient discharge of departmental duties.
 - (f) Provide advice, upon request, to the Council with respect to its decisions to hire personnel and with respect to its lay-offs of personnel.
 - (g) Safeguard all equipment, supplies and property of the Department.
- (2) The Chief shall be responsible for discipline of the members of the Department. The need for discipline is occasioned by, but not limited to, failure to perform duties, unwillingness to follow directions or orders, or misconduct.
- (3) Disciplinary action shall be consistent with personnel policies enacted by the Council.
- (4) In matters of discipline of the Chief and in matters of suspension or discharge, references made to Section 16.07.

16.05 COMPENSATION

- (1) The salaries of all Police Department members shall be set by the Council.
- (2) There shall be no rewards or additional compensation for arrests, apprehensions, traffic citations written, or other meritorious service.
- (3) Salaries or other benefits may be established in relationship to the length of service.

16.06 HOURS OF DUTY

- (1) The Council shall provide for a working day of not more than eight (8) hours in each twenty-four (24) hour day except in case of necessity by some sudden or serious emergency, which in the judgment of the Chief of Police, demands that such workday be extended beyond the eight (8) hour period. Overtime credit, consistent with the personnel policies of the City, shall be granted in the event of such work extending beyond the eight (8) hour period.
- (2) The Council shall provide one full rest day of twenty-four (24) consecutive hours during each one hundred ninety-two (192) hours for every member of the department, except in cases of sudden or serious emergency, which in the judgment of the Chief of Police, demands that such day of rest not be given at that time. Arrangements shall be made so that each full rest day may not be had at such time, or times, as will impair the efficiency of the Department. A rest period in excess of twenty-four (24) hours may be allowed.

16.07 SUSPENSION OR DISCHARGE.

- (1) The City may not suspend, reduce, suspend and reduce, or remove any Police Chief or other Law Enforcement Officer who is not probationary, unless the City does one of the following:
 - (A) Establishes a committee of not less than three (3) members, none of whom may be an elected or appointed official of the City or be employed by the City. The committee shall act pursuant to Section 62.13(5), Wis. Stat., in place of a Board of Police Commissioners. The City Council may provide for some payment to each member's cost of serving on the committee at a rate established by the City Council.
 - (B) Appoint a person who is not an elected or appointed official of the City and who is not employed by the City. The person shall act under Section 62.13(5), Wis. Stat., in place of the Board of Police Commissioners. Such person may be a hearing examiner employed by the Wisconsin Division of Hearings and Appeals. The City may provide for compensation to serve in this capacity at such rate established by the City Council. Should the person selected be a hearing examiner, such reimbursement would be paid to the State consistent with their requirements.
- (2) Section 62.13(5) and 62.13(5m), Wis. Stat., is hereby adopted by reference.