

CHAPTER 3
POLICE, CIVIL DEFENSE AND FIRE DEPARTMENT

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3.01 POLICE DEPARTMENT. (Or. Am. June 6, 2006).

The Police Department of the Village of Ridgeway shall consist of an Officer in Charge and such other police officers as the Board may prescribe from time to time by ordinance or resolution. The Officer in Charge and other police officers shall be appointed by an affirmative vote of majority of all members of the Board.

3.02 OFFICER IN CHARGE DUTIES AND POWERS. (Cr. June 6, 2006).

(1) Duties. The Officer in Charge:

(a) Shall possess the powers, enjoy the privileges and be subject to the liabilities conferred and imposed by law upon village marshals and constables.

(b) Shall obey all lawful order of the Board.

(c) Shall cause the public peace to be preserved and see that all laws and ordinances of the Village and State are enforced, and upon any violation thereof shall cause the requisite complaint to be made and see that the evidence is procured for the successful prosecution of the offender or offenders.

(d) Shall keep a record of all arrests made by members of the Department, traffic tickets issued, offenses charged, actions taken, complaints filed, and all other law enforcement actions as otherwise required by law.

(e) Shall submit a monthly report to the Village Board or Public Safety Committee of all activities and transactions of the Department during the preceding month.

(f) Subject to oversight by the Village Board and Public Safety Committee, administer the budget and expenses for the Department.

(g) Subject to oversight by the Village Board and Public Safety Committee, perform other administrative and managerial duties necessary to operate the Department.

(h) Shall supervise the other officers in the Department.

(i) Shall be supervised by and report to the Public Safety Committee and the Village Board.

(j) The above duties shall be in addition to the duties imposed upon him/her under Sec. 3.03 of this code.

(2) Powers. The Officer in Charge shall have command of the police force of the Village of Ridgeway and shall have custody, care and control of the property and equipment of the Department. The Officer in Charge shall have full

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control and direction of all law enforcement activities within the Village, subject to the approval and direction of the Village President.

3.03 GENERAL POWERS OF POLICE OFFICERS. (Or. Am. June 6, 2006).

The Officer in Charge and all police officers of the Village shall possess the powers, enjoy the privileges and be subject to the liabilities conferred and imposed by law on marshals and constables by law, shall preserve the public peace, and enforce the laws and ordinances of the State and Village. Every member of the Department shall have full power and authority and it shall be his/her duty to:

(1) Arrest all persons of 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.

(2) Know and understand the ordinances of the Village and attend to the enforcement of such ordinances by all lawful means.

(3) Help prevent crimes, misdemeanors and violation of Village ordinances and protect the health, safety, public peace and order of the Village and its inhabitants.

(4) 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.

(5) Assist the Fire Department in maintaining order at the scene of a fire.

(6) See that the necessary permits and licenses issued by the proper authority of the State or Village are in the possession of or properly displayed by any person engaged in an activity or business within the Village for which such permit or licenses are complied with.

(7) The Officer in Charge and other police officers shall follow all directions and policies set forth by the Village Board. In situations or on subjects where no policy or direction has been set forth by the Village Board, the Village President shall be the person to give directions to the Officer in Charge and other police officers, or, in the President's absence, such direction may be given by the Chairman of the Public Safety Committee.

3.035 POLICE DISCIPLINE COMMITTEE. (Cr. June 6, 2006).

(1) Establishment of Police Discipline Committee. In addition to and separate from the Public Safety Committee, there shall be a Police Discipline Committee (PDC) in the Village. All rules contained in Chapters 1 and 2 of the

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Village Code apply to the PDC, except where inconsistent with the rules enumerated in this subsection.

(2) Purpose of Police Discipline Committee. The PDC shall serve as a committee that meets the requirements set forth in Wis. Stat. § 61.65(1)(am). The PDC shall review all matters that may result in the suspension, reduction, suspension and reduction, or removal of the Officer in Charge or other police officers that are not probationary. Such matters may be directly referred to the PDC by the Village President and/or may be referred to the PDC by other Village Committees.

(3) Appointment and Term. The PDC shall consist of three (3) members, none of whom may be a Village Trustee, an appointed Village official or a Village employee. Appointments shall be made by the Village President subject to confirmation by the Village Board. Terms shall be for two years. To provide for continuity on the PDC, one committee member shall be appointed for a one year term, and two committee members will be appointed for two year terms on staggered years. As each term expires, new members shall be appointed for two year terms.

(4) Committee Meetings and Reports.

(a) Election and Duties of Chairperson. At its initial meeting the PDC shall elect a Chairperson, who shall serve a one year term and may be re-elected for additional one-year terms. The Chairperson shall call and preside at all meetings of the PDC and shall see that all actions of the PDC are carried into effect.

(b) Meetings. Meetings of the PDC shall be held on an as-needed basis, or whenever called by the Chairperson of the PDC, called by the Village President, called by majority vote of the Village Board, or upon the written direction of at least two members of the PDC. Once called, the meeting shall be convened as soon thereafter as practicable. The Chairperson shall call the meeting and specify the date, time and location .for the meeting.

(c) Notice of Meetings. The person calling the meeting of the PDC shall advise the Village Clerk of the nature of the meeting, the agenda, and .the time and location for the meeting. The Village Clerk shall provide notice of the meeting in accordance with Wisconsin's Open Meeting Laws and Village Ordinances.

(d) General Rules and Procedures. The PDC shall develop a review process that is both consistent with Wisconsin Statutes and designed to meet the needs of the particular matter referred to the PDC. General rules and procedures governing the review process may be set forth in writing. Any rules set forth in writing shall be referred to the Village Board for review and shall be effective when adopted by resolution of the Village Board.

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(e) Communications with Village Board. The PDC shall keep the Village Board adequately and appropriately apprised of the status of any matters before the PDC.

3.04 VILLAGE PRESIDENT AND TRUSTEES: POLICE POWERS OF

The Village President and 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.

3.05 CIVILIANS TO ASSIST.

It shall be the duty of all persons in the Village, when called upon by any police officer or peace officer to promptly aid and assist him/her in the execution of his/her duties. Whoever shall neglect or refuse to give such aid or assistance shall be subject to a penalty as provided by this Code.

3.06 IMPERSONATING POLICE OFFICERS.

Whoever impersonates a peace or police officer with intent to mislead others into believing that the person is actually a peace or police officer is guilty of a Class B misdemeanor under Sec. 946.70 Wis. Stat.

3.07 ASSISTING ESCAPE OF PRISONER.

Whoever does assist in the escape of a prisoner, as defined under Sec. 946.44, Wis. Stats., is guilty of a Class D felony.

3.08 FIRE DEPARTMENT.

(1) The Village Board of the Village of Ridgeway officially recognizes the Ridgeway Volunteer Fire Department which serves the property owners of both the Village of Ridgeway and the Town of Ridgeway and has reciprocal agreements with the adjoining city and village fire departments.

(2) The Village of Ridgeway by action of the Village Board and the Town of Ridgeway by action of its Town Board share equally in providing a fire station for the Ridgeway Volunteer Fire Department and share equally in the costs of operating the Department by providing funds as they are billed by the Department.

3.09 FIRE DEPARTMENT ORGANIZATION.

(1) The Fire Department of the Village and Town of Ridgeway is manned by residents of the Village and Town of Ridgeway.

(2) The members of the Department adopt their own by-laws, elect their Fire Chief and elect any other officers as called for in their by-laws.

(3) The Fire Department shall carry it's own insurance, including fire and extended coverage, liability, property damage, workmen's compensation, etc.

3.11 FIRE CHIEF.

1) The Fire Chief is elected by members of the Department.

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2) Duties and Powers. The Fire Chief shall enforce, or cause to be enforced, all fire prevention ordinances, laws and regulations of the Village, Town and State.

3) Fire Inspector. The Fire Chief may appoint a deputy Fire Inspector who shall perform all duties required of Fire Inspectors by the laws of the State and rules of the State Industrial Commission, particularly Sec. 101.14, Wis. Stat.

3.12 FIRE DEPARTMENT MEMBERS.

The members of the Fire Department may or may not be residents of the Village and Town of Ridgeway. Applications are voted upon by the members of the Department.

3.13 EQUIPMENT AND APPARATUS.

Use as requested by the Village or Town Board of Ridgeway.

3.14 POLICE POWERS OF THE FIRE DEPARTMENT.

(1) Authority at Fires. The Fire Chief and his assistants or officers in command are hereby vested with full and complete police authority at fires and may cause the arrest of any person failing to give the right-of-way to the Fire Department responding to a fire call.

(2) Removal of Property. The Fire Chief shall have the power to cause the removal of any property whenever it shall become necessary for the preservation of such property from fire or to prevent the spread of fire or protect adjoining property. During the progress of any fire, he shall have the power to order the destruction of any property necessary to prevent the further spread of the fire. He shall also have the power to cause the removal of all wires or other facilities and the turning off of all electricity or other services where the same impede the work of the Fire Department during the progress of a fire.

(3) Members of the Fire Department May Enter Adjacent Property. It shall be lawful for any member of the Fire Department acting under the direction of the Fire Chief or any officer in command to enter upon the premises adjacent to or in the vicinity of any building or other property then on fire for the purpose of extinguishing such fire. No person shall hinder, resist or obstruct any member of the Fire Department in the discharge of his duty as herein-before provided.

(4) Duty of Bystanders to Assist. Every person who shall be present at a fire shall be subject to the orders of the Fire Chief or officer in command and may be required to render assistance in fighting the fire or in removing or guarding property. Such officer shall have the power to cause the arrest of any person refusing to obey such orders.

3.15 FALSE FIRE ALARMS PROHIBITED.

Whoever intentionally gives a false alarm to any public officer is guilty of a Class A misdemeanor as provided under Sec. 941.13, Wis. Stat.

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3.16 PENALTIES.

The penalty for violation of any provision of this chapter shall be a penalty as provided by this code, under Chapter 12.

(Cr. 1986 Ch. 3).