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## **CHAPTER 4**

### **Police Department**

**4.01.000 POLICE DEPARTMENT.** The Police Department shall consist of one Chief of Police and such other officers and personnel as determined necessary from time to time for the good order of the City and for the safety and welfare of the public, subject to final financial approval of the Common Council.

**4.02.000 CHIEF OF POLICE.** The Chief of Police shall be appointed by the Police and Fire Commission and shall hold office during good behavior, subject to suspension or removal by the Board for cause.

**4.03.000 OTHER APPOINTMENTS.** The Chief of Police shall appoint subordinates subject to approval by the Board of Police and Fire Commission. Such appointments shall be made by promotion when this can be done with advantage, otherwise from an eligible list provided by examination and approval by the Board and kept on file with the Board Secretary. The Chief of Police may appoint such persons for temporary emergency duty as he shall deem advisable and necessary.

**4.04.000 OTHER EMPLOYMENT.** No regular member of the Police Department shall engage in any other business or accept any other part-time employment except with written permission of the Police and Fire Commission.

#### **4.05.000 DUTIES OF CHIEF.**

**4.05.010 Supervision.** The Chief of Police shall, under the supervision of the Mayor, have general supervision of the Police Department. He shall obey all lawful orders of the Common Council. He shall cause the public peace to be preserved by enforcement of ordinances and resolutions of the Common Council and by the suppression of all riots and disturbances that may occur.

**4.05.020 Arrest.** The Chief of Police shall cause to be arrested and prosecuted all persons who shall be found violating any provisions of the Municipal Code or regulations of the City of Port Washington. He shall likewise arrest all persons chargeable with offenses punishable by the laws of the state or county and bring such persons before the proper tribunal for punishment.

**4.06.000 POWERS OF POLICEMEN.** The Chief of Police and each policeman shall possess the powers, enjoy the privileges and be subject to the liabilities conferred and imposed by law upon constables and be taken as included in all writs and papers addressed to constables; shall arrest or cause to be arrested, with or without process, and with reasonable diligence take before the proper court, every person found in the City violating any law of the state or ordinance of the City or county, and may command all persons present in such cases to assist therein, and if any person, being so commanded, shall refuse or neglect to render such assistance, he shall be subject to a penalty as provided in section 25.04 of this code. Such persons shall collect the same fees allowed to constables for similar service.

**4.07.000 WHO MAY ARREST.** The Mayor, Aldermen, Chief of Police, and members of the Police Department, may, with or without process or complaint, arrest, retain and confine in such place as may be provided by the Common Council of this City, until a trial can be had in a proper court, any and all persons violating any provision of the Municipal Code, any ordinance or regulation of this City, and any person who shall be detected by said Mayor, Aldermen, Chief of Police or members of the Police Department in the act of offending against any of the provisions of the laws of the State of Wisconsin.

**4.08.000 FIRES AND RIOTS.** The Chief of Police or any other officer directed by him shall proceed to the scene of fires, riots, and tumultuous assemblages to direct traffic, to save and protect property and to disperse mobs and arrest such persons as may be found disturbing the peace of aiding or abetting others in so doing.

**4.09.000 OFFICER PROVIDING BAIL.** The Chief of Police or other officers shall not provide bail for any persons arrested and shall in no case provide bail for any person under arrest.

**4.10.000 LIABILITY OF POLICE OFFICERS.** Any police officer who shall willfully neglect or refuse to perform any duty required of him by any provision of the Municipal Code of the City shall be subject to a penalty as provided in Section 25.04 of this Code.

**4.11.000 AUXILIARY POLICE CORPS.** The Members of the Auxiliary Police Corps shall be appointed by the Chief of Police, subject to approval by the Police and Fire Commission. The Auxiliary Police shall be responsible to the Chief of Police who shall prescribe rules and regulations for its control and management, subject to the approval of the Police and Fire Commission.

**4.12.000 COMMUNITY SERVICE OFFICER.** Community service officer or officers may be appointed by the Chief of Police, subject to approval by the Police & Fire Commission. Said Community Service Officer shall be empowered to, among other things, enforce all city ordinances and amendments thereto related to public health and safety. This delegation of authority herein shall in no way limit the continuing authority of police officers to enforce the city ordinances under similar circumstances.

**4.13.000 SERVICE FEES.**

- A. Service Fees. Pursuant to secs. 814.70, 814.705 and 814.71, Wis. Stats., the City of Port Washington Police Department shall charge a service fee of \$35 when the city police serve a warrant or commitment order upon a person. The person served with the warrant or commitment order shall be responsible for payment of the service fee. The service fee may be collected at the time of service or as a court cost through the court.
- B. Multiple Warrants or Commitment Orders. The Police Department shall charge a separate fee for each warrant or commitment order served on a person.
- C. Disposition of Fees. If warrant or commitment order service fees have been collected by the court, those fees shall be forwarded by the court to the City Treasurer.