

**CHAPTER 4**  
**POLICE DEPARTMENT**  
**(AMENDED 10 January 2023)**

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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) SALARIES. The Chief and the police officers shall receive salaries as fixed by the Village Board and shall not be entitled to any other compensation.
- (3) DISPOSITION OF FEES. 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 of Courts or the Clerk-Treasurer not less than weekly.
- (4) TENURE OF ~~CHIEF AND~~ POLICE OFFICERS. After a ~~6-month~~ 12-month probationary period, ~~the Chief of Police and~~ ALL police officers shall hold office during good behavior, subject to suspension or demotion by the Police Chief or removal for cause by the Police Committee. A non-probationary police officer suspended or demoted may appeal to the Police & Fire Commission. A non-probationary police officer may only be terminated after a hearing held before the Police & Fire Commission. The Tenure and any probationary period of the Police chief shall be determined by the employment contract.

**4.02.1 CHIEF OF POLICE, POWERS AND DUTIES.**

- (1) The Chief shall possess the powers, enjoy the privileges and be subject to the liabilities conferred and imposed by law upon marshals and constables.
- (2) The Chief shall exercise supervisory control over all the personnel of his Department and may adopt, subject to the approval of the Village Board, rules and regulations for the government, discipline, equipment and uniforms of police officers.
- (3) The Chief shall obey all lawful written orders of the Village President and the Village Board.
- (4) The Chief shall cause the public peace to be preserved and see that all laws and ordinances of the Village and the State are enforced and, whenever any violation thereof shall come to his knowledge, the chief shall cause the requisite complaint to be made and see that the evidence is procured for the successful prosecution of the offender.
- (5) The Chief shall be solely responsible for the care and condition of the equipment used by his Department.
- (6) The Chief shall keep an accurate and complete record of all complaints, arrests, traffic violations, convictions and dispositions of the Department.
- (7) The Chief shall submit a monthly report to the Village Board of activities and transactions of the Department during the preceding month.
- (8) The Chief shall promulgate rules and regulations for the operation of the Department; particularly the rules and regulations mandated by the legislature, subject to the approval of the Village Board.
- (9) As provided in sec. 3.04 of this Code, the chief shall annually file the recommended Department budget with the Village Administrator.

**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 shall enforce the laws and ordinances of the State and the Village, subject to the orders, rules and regulations of the Chief, the Village President and the Village Board.
- (2) POWER OF ARREST. The Chief of Police and any police officer shall arrest any person 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.

- (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 Village are in the possession of or are properly displayed by any person engaged in an activity or business within the Village for which a permit or license is required and that the terms of such license or permit are complied with.

**4.04 MUTUAL ASSISTANCE.** In accordance with §§66.1019(1) and 66.0513, Wis. Stats., and policies established by the Village Board, the Chief of Police may respond to requests for police personnel from Wood County or any municipality or town within said County, and may request said jurisdictions to provide police personnel to the Village.

#### **4.05 REGULATION OF ALARM DEVICES.**

- (1) **PURPOSE.** The purpose of this section is to establish regulations, standards and controls relating to the type, use and installation of alarm devices.
- (2) **DEFINITIONS.** The terms used herein shall be defined as follows:
  - (a) **Alarm System.** An assembly of equipment installed for the purpose of notifying the Police Department by the Wood County Communications Center of urgent intention to either an intrusion and/or a robbery to said location.
  - (b) **Alarm User.** Any business or any citizen in the Village that installs or maintains an alarm system. A person is considered an alarm user when the Police Department receives notification by the Wood County Communications Center of the alarm signal. How the signal is reported to the Police Department does not determine whether or not the person is an alarm user.
  - (c) **Automatic Dialing Service.** Automatic dialing service is an alarm system which creates and sends a prerecorded message that is transmitted directly over telephone lines to the Communications Center indicating the existence of an emergency situation.
  - (d) **On-Premises Alarm.** An on-premises alarm generates a signal on or about the premises to notify that an intrusion is occurring. This is a visual or audible alarm signal that does not connect directly to any answering panel or service.
- (3) **ALARM PERMITS.** Any person intending to install or maintain an alarm system shall first obtain a permit from the Police Department. An alarm permit shall be granted only after satisfactory completion of an application submitted to the Police Department for approval. The application shall explain what type of alarm will be utilized along with a description of how the alarm works. If an alarm user fails to obtain a permit, he shall be held in violation of this section. If at any time the alarm user does not comply with the regulations set forth in this section, the alarm permit may be revoked by the Police Chief or his designee. There shall be no charge for the permit for a signal alarm received through an outside alarm service or an on-premises alarm.
- (4) **CENTRAL ANSWERING STATION ALARM.** The central answering station alarm is programmed directly to a private central answering station. This station is responsible for the monitoring of the alarm and notifying the Police Department by the Communications Center when an alarm is transmitted from the user to the service. The central answering station will advise the Police Department by the Communications Center of which alarm user had transmitted the signal. The Sheriff's Department shall, to the best of its ability and equipment potential, advise the Police Department of which area on the premises is experiencing the intrusion. If it is a robbery in progress alarm, the Communications Center shall give whatever information is available to it at the time. The central answering station shall be responsible for maintaining a current contact notification list for each user. The station shall contact a key holder or other representative to meet the Police Department responding officers to determine the cause of the alarm. Representatives shall be advised to respond to every

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alarm location in a timely fashion. Anyone utilizing a private alarm company is subject to all other guidelines of this section that apply.

- (5) **AUTOMATIC DIALING SERVICE PROHIBITION.** The Communications Center does not permit automatic dialing services with a prerecorded message to terminate on any of the telephone lines into their dispatch center. No person shall be granted a permit with this type of system.
- (6) **ON-PREMISES ALARMS.** Visual or audible alarms that do not connect to an answering panel or service shall be referred to herein as "on-premises alarms." This type of alarm generates a signal on or about the premises to notify that an intrusion is occurring. On-premises alarms are subject to other alarm permit requirements found under sub. (3) above and sub. (10) below.
- (7) **FALSE ALARMS.** A false alarm means a signal from an alarm system caused by intentional means, employee error in regulation of the alarm or equipment malfunction resulting in a response by the Police Department or the Wood County Sheriff's Department when an emergency situation does not exist. An alarm shall not be counted as a false alarm if it is due to a power outage or power interruption.
- (8) **OFFICER RESPONSE TO ALARMS.** The officer responding to an alarm call shall determine whether or not the transmission will be recorded as a false alarm. All incidents involving an alarm shall necessitate a final determination or disposition to be recorded on the CIS used by the Police Department. Officers shall rely on this computer information to determine whether or not a user shall be assessed a forfeiture for the false alarm.
- (9) **ALARM TESTING.** It is the responsibility of the alarm user and/or service company to notify the Communications Center or the Port Edwards Police Department of intentions to test the alarm. In the event of an alarm test and no prior notification of testing exists, the alarm test shall be considered a false alarm.
- (10) **PENALTY.**
  - (a) Violations of sub. (3) above utilizing an alarm without a permit.
    1. The first violation shall be subject to a written warning.
    2. All subsequent violations shall be subject to a forfeiture of \$100 plus costs.
  - (b) Violations of automatic dialing prohibition in sub. (5) above.
    1. The first violation shall be subject to a verbal warning.
    2. All subsequent violations shall be subject to a forfeiture of \$100 plus costs.
  - (c) False Alarm Schedule. False alarms shall be recorded on the Wood County computer. Statistics shall be available to the officer assigned to respond to an alarm. If the officer determines that the user has exceeded the permitted number of false alarms within a 12-month period, a citation shall be issued using the following schedules based on the number of violations occurring within the past 12-month period (a calendar year from January 1<sup>st</sup> – December 31<sup>st</sup>) from the alarm in question.
    1. The first two violations shall be subject to a written warning.
    2. The third and subsequent violations shall be subject to a forfeiture of \$10 plus costs.

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