

CHAPTER 4 INDEX LAW ENFORCEMENT

- 4.01 OFFICIAL POLICE DEPARTMENT.**
- 4.02 POLICE DEPARTMENT ORGANIZATION AND PERSONNEL.**
- 4.03 POLICE OFFICERS: DUTIES AND POWERS.**
- 4.04 CHIEF OF POLICE DUTIES AND POWERS.**
- 4.05 DEPARTMENT RULES.**
- 4.06 MUTUAL ASSISTANCE.**
- 4.07 CRIMINAL HISTORY RECORD INFORMATION SEARCH.**
- 4.08 DISPOSAL OF ABANDONED AND UNCLAIMED PROPERTY.**
- 4.09 POLICE COMMISSION.**
- 4.10 PENALTY.**

Chapter 4 Board Action

Adopted December 20, 2011 as part of Village Incorporation
Repealed & Recreated November 10, 2014, Ordinance No. 2014-O-17
Repealed & Recreated April 4, 2023, Ordinance No. 2023-O-02

4.01 OFFICIAL POLICE DEPARTMENT.

The Village of Bloomfield Police Department shall be the official Police Department of the Village and Town of Bloomfield. The primary duty of the Police Department is to protect life and property and enforce such laws as may be within its jurisdiction.

4.02 POLICE DEPARTMENT ORGANIZATION AND PERSONNEL.

- 1) *Personnel*: The Police Department of the Village shall consist of the Chief of Police and such police officers as the Village Board may prescribe by ordinance, resolution, or as the budget allows.
- 2) *Appointments*: The Police Chief shall be selected by the Police Commission. Pursuant to Wis. Stats. §62.13(4), the Chief of Police shall appoint and promote sworn officers to their positions subject to the approval of the Police Commission.
- 3) *Salaries*. The Chief shall receive the standard employee benefit package and a salary fixed by the Village Board and shall not be entitled to any other compensation or additional benefit, unless otherwise specified by a written contract approved by the Village Board. The police officers shall receive an hourly wage and benefit package as determined from time to time by the Village Board.
- 4) *Dispositions of fees*. All fees, bail deposits and other special remuneration or funds collected or received by the Department shall be deposited with the Village Treasurer not less than monthly.
- 5) *Tenure*. The Chief of Police shall hold office during good behavior, subject to suspension or removal for cause by the Police Commission. Other members of the Police Department shall hold office subject to the power of the Police Commission to suspend or remove any officers, subject to appeal by the Village Board.

4.03 POLICE OFFICERS: DUTIES AND POWERS.

The Chief of Police 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 upon marshals and constables as provided in Wis. Stats. §61.28 and §61.31. Every sworn officer of the Police Department shall have full power and authority and it shall be their duty to:

- 1) *Arrest Powers*. Arrest with or without process all persons in the Village found engaged in any disturbance of the peace or violating any law or ordinance of the State or Village or aiding or abetting in such violation, and take all such persons in charge and confine them and within a reasonable time bring them before the court having jurisdiction thereof to be dealt with according to law.
- 2) *Enforcement of laws*. Familiarize themselves with the ordinances of the Village and attend to the enforcement of such ordinances by lawful means.
- 3) *Crime prevention*. Help prevent crimes, misdemeanors and violations of the Village ordinances and protect the health, safety, public peace, and order of the Village and its inhabitants.

- 4) *Reporting of obstructions.* Report all street obstructions, unlighted streetlamps, unlawful street signs or signals and defective or dangerous streets to the Village Administrator.
- 5) *Assist Fire Department.* Assist the Fire Department in maintaining order at the scene of a fire or rescue call.
- 6) *Enforcement of licensing.* See that the necessary permits and licenses issued by the proper authority of the State or Village are in possession of or properly displayed by any person engaged in activity or business within the Village for which such permit or license is required and that the terms of such permits or licenses are complied with.

4.04 CHIEF OF POLICE DUTIES AND POWERS.

The Chief of police shall administer the day-to-day activities and services of the Police Department under the general supervision of the Village Administrator and police guidance of the Police Commission and the Village Board.

- 1) *Duties.* In addition to the duties imposed upon them by Section 4.03, the Chief of Police shall:
 - a) Be responsible for participation in and supervision of all law enforcement services and activities as are performed by the Police Department in accordance with Wisconsin Statutes and ordinances and policies established by the Village Board.
 - b) Obey all lawful written orders of the Village President and Village Board.
 - c) Cause the public peace to be preserved and see that all laws and ordinances of the Village and State are enforced and wherever any violation thereof shall come to their knowledge, they shall cause the requisite complaint to be made and see that the evidence is procured for the successful prosecution of the offender.
 - d) Exercise supervisory control over all personnel of the Department.
 - e) Have command of the Police Department of the Village and shall have custody, care and control of the property and equipment of the Department.
 - f) Keep an accurate and complete record of all complaints, arrests, and traffic violations, convictions and dispositions of the Department.
 - g) Make budget recommendations for the coming year upon the request of the Village Administrator.
 - h) Submit a written monthly report to the Village Board of all activities and transactions of the Department during the preceding month.
 - i) Preside at all meetings and special meetings of the Department and preserve order and discipline.
 - j) Preside in serious internal investigations, have complete command of police responsibility and police operations, and plan and control special programs.
 - k) Have the power to issue oral or written reprimands to any member of the Department for minor infractions of departmental rules and regulations.
 - l) Report to the Village Board on in-service training, together with other pertinent information and data. They shall submit recommendations and improvements as he deems proper and necessary for the efficient operation of police services.

4.05 DEPARTMENT RULES.

The Chief of Police shall prepare rules for the administration of the Police Department, which rules shall be in full force upon approval of the Village Board and shall outline the conditions of employment in the Department. The Village Board and the Police Commission, where applicable, may revise such rules.

4.06 MUTUAL ASSISTANCE.

In accordance with Wis. Stats. §66.0313 and §66.0513, and policies established by the Village Board, the Chief of Police may respond to requests for police personnel from any municipality and may request said jurisdiction to provide police personnel to the Village.

4.07 CRIMINAL HISTORY RECORD INFORMATION SEARCH.

- 1) *Purpose.* This section is adopted for the purpose of providing the Police Department with the authority to request criminal history record information from the State of Wisconsin if requested by the Village Administrator or Village Clerk. A request under this section must be based on reasonable belief that the criminal history information is necessary to assist in the safe and efficient operation of Village government.
- 2) *Search.* If requested by the Village Administrator or Village Clerk, the Police Department is authorized to and shall conduct a criminal history record information search concerning the following persons:
 - a) Applicants for alcohol beverage licenses
 - b) Applicants for direct seller registration and fund solicitor permits
 - c) Applicants for any Village employment
 - d) Applicants for all other licenses and permits issued by the Village
- 3) *Fees.* The cost of the search shall be paid as provided by ordinance or if not specifically addressed in an ordinance as directed by the Village Board.

4.08 DISPOSAL OF ABANDONED AND UNCLAIMED PROPERTY.

Personal property which has been abandoned or remains unclaimed for a period of 30 days after the taking of possession of such property by the Village shall be disposed of as follows:

- 1) Whenever, in the judgement of the Chief of Police, there exists sufficient items of abandoned property of value to justify a public sale, the Chief of Police shall cause notice of a public sale of such property to be given to the public at least 10 days prior to such sale and in a manner as he shall direct.
- 2) The Chief of Police shall keep an accurate inventory of all such abandoned property and the manner in which such property is disposed of. However, the Chief of Police shall have the authority to destroy any items of abandoned property with no value. Such inventory shall be kept as a public record for a period of not less than two years from the date of disposal of the property.
- 3) All receipts from such public sale, after deducting the necessary expenses of keeping the property and conducting the sale, shall be paid into the Village treasury.

4.09 POLICE COMMISSION.

1) Organization and appointment.

- a) Membership. The Police Commission shall consist of five (5) citizens who are residents of the Village, three (3) of whom shall constitute a quorum. No Commissioner may serve on the Village Board, or any other board, committee, commission (other than the Fire Commission), or serve in any capacity in the Police Department or as an employee of the Village while serving as a member of the Police Commission.
- b) Term of Office. Commissioners shall serve staggered terms of five years commencing on May 1 in the year of appointment. Between the last Monday of April and the first Monday of May each year, the Village President shall appoint one commissioner to succeed the member whose term expires in that year.
 1. Appointments shall be filed with the Village Clerk.
 2. A commissioner shall continue to serve until their successor is appointed.
- c) Election of Officers. There shall be an annual meeting within thirty (30) days of any term expiration for the election of officers. There shall be an elected Chairperson to preside over meetings, a Vice-Chairperson to act in the stead of the chairperson and a secretary.
- d) The Chairperson shall have the responsibility to set the agenda for Police Commission meetings, to preside over Police Commission meetings and disciplinary hearings, to serve as the public spokesperson for the Police Commission, and to take such other action as is necessary to ensure that the duties of the Police Commission are discharged as provided by law.

2) Scope of authority.

- a) Pursuant to the powers vested in the Village Board and Wis. Stats. §61.65(1)(b)(1)(a), the Police Commission shall have jurisdiction of the Police Department only as set forth herein.
- b) The Police Commission shall exercise the powers specified in Wis. Stats. §62.13 but the specified optional powers enumerated in Wis. Stats. §62.13(6) are not extended to the Commission.
- c) Approve the appointments of subordinates, as appointed by the Police Chief.
- d) To conduct examinations for specialized or supervisory positions in the Department when such positions cannot be filled by advantage by promotion, in which examinations will then be opened to the general public.
- e) To conduct hearings on disciplinary actions within the Department.

3) Meetings of the Police Commission.

- a) The Police Commission shall meet at least semi-annually. The Commission may meet as necessary, or as called by the Chairman or as called by a majority of the Commission. The Village Clerk shall create and post agendas for this Commission pursuant to Wis. Stats §19.84. All meetings shall be at the Village Hall.
- b) Public notice of every meeting shall be given pursuant to Wis. Stats. §19.84. The notice shall set forth the time, date, place, and subject matter of the meeting, including that intended for consideration at any contemplated closed session.

4.10 PENALTY.

Any person who shall violate any provision of this chapter or any regulation, rule or order made hereunder shall be subject to a penalty as provided in Section 25.04 of the Village of Bloomfield Municipal Code.