

CHAPTER 4

POLICE DEPARTMENT

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**4.01 DEPARTMENT ESTABLISHED.**

The Police Department of the City of Algoma shall consist of the Chief of Police and such police officers, as the Council shall prescribe by ordinance or resolution. Each member of the Police Department shall receive such compensation as shall be determined by ordinance or resolution which compensation shall be in lieu of all special fees, rewards or remuneration arising from such police service.

**4.02 CHIEF OF POLICE.**

The Chief of Police shall be the Chief executive officer of the Department and shall have direct control and management of all members of the department in the lawful exercise of their duties, subject to the provisions of law and of City ordinances, and subject to such other orders as may be issued by the Mayor or Council as provided by law. The Chief shall be responsible for the maintenance of order, the enforcement of laws and the ordinances and regulations of the City, the prevention of crime, and the protection of life and property. He shall maintain rigid discipline so as to secure complete efficiency in the Department. In case of the absence or disability of the Chief, the Lieutenant of the Police Department or such other officer as may be designated shall perform the duties and exercise the power and authority of the Chief.

**4.03 PERFORMANCE OF DUTIES.**

The Chief of Police, Lieutenant and each police officer shall perform such duties as may be required by law, ordinance, or City regulations, or such other duties as may be imposed by the mayor or the Council. Each member of the Department shall give such assistance as is necessary, or as may be directed by the Mayor or Council, to any other City Department or City officer.

**4.04 RULES AND REGULATIONS.**

The Chief of Police shall adopt, subject to the approval of the mayor, rules and regulations for the government, discipline, equipment and uniforms of police officers, fixing their duties, and prescribing penalties for violation of any such rules and regulations.

**4.05 CARE AND CUSTODY OF PROPERTY.**

The Chief of Police shall have custody, care and control of the public property and equipment of the Police Department, subject to the directions of the Mayor and the Council. He shall conduct periodic surveys of such property and equipment, arrange for the salvaging of discarded or impaired items, and submit recommendations as to future needs.

**4.06 CHIEF TO KEEP RECORDS.**

The Chief of Police shall keep an accurate and complete record of all complaints, arrests, traffic regulations, convictions, and the disposition of each case handled by the Department. The Chief shall also keep a record of the accomplishments and performance of each police officer.

**4.07 REPORTS TO MAYOR AND COUNCIL.**

The Chief of Police shall, immediately following the end of each calendar month, submit to the Mayor and Common Council a written report on all activities and transactions of the Department during the month. He shall also submit such a report at the end of each calendar year. He shall include either in the annual report, or with the proposed departmental budget for the ensuing year, such recommendations as he shall deem advisable with respect to departmental organization, personnel, property or equipment, or such other matters as he shall consider to affect the effective operation of the Department in public interest, including suggested ordinances.

**4.08 DEPOSIT OF FUNDS.**

All funds arising out of the Police Department operations that may be collected by any member of the Department shall be deposited with the City Treasurer the end of each week. The Chief of Police shall file with the City Treasurer accompanying each such deposit a statement showing in detail, the source of such receipts, and the Chief shall affix thereto his certificate stating that the money so paid is all the funds collected or received by the Department since the preceding statement so filed.

**4.09 BADGE AND UNIFORM.**

Each member of the Police Department shall wear a suitable badge, to be furnished by the City, and every member of the Police Department shall, while on duty, wear a uniform, which shall comply with the rules and regulations. The Chief may issue written orders authorizing the performance of specific duty while not in uniform. Any member of the Department who shall lose or destroy such badge or other property furnished by the City shall be required to pay the cost of replacement. Whenever any member shall terminate membership in the Department, he shall immediately deliver his badge and all other City property in his possession to the Chief of Police and all sums due said member should be withheld pending such final settlement.

**4.10 EXAMINATION COMMITTEE.**

Whenever a vacancy shall occur in the position of Police Chief or police officer and no eligible list exists for either of such positions, an examination or examinations shall be conducted to establish an eligible list of qualified appointees. An examination committee consisting of the City Attorney, the Protection of Persons & Property Committee and the Police Chief shall conduct such examination, if the officer of Police Chief is not vacant. Public notice shall be given by posting in the City Hall and library, and public advertisements shall be carried in a local newspaper, of each vacancy.

**4.11 QUALIFICATIONS OF CANDIDATES.**

Qualifications shall be as set forth in the Wisconsin Administrative Code—Recruitment Qualifications Chapter LES 2 and amendments thereto.

**4.12 CONDUCT OF EXAMINATION.**

- (1) Each applicant for a position in the Police Department shall file with the City Clerk on forms provided by such clerk and/or as provided by Minimum Training and Standards Bureau.

- (2) Each applicant who has met the Qualifications and Requirements shall be given an oral examination by the Examination Committee to determine the suitability of the personality of the applicant in his appearance, approach, poise, response, ability to express himself orally, and the like. The Committee may also conduct such other examination as it shall determine necessary to establish the fitness of the candidate with respect to powers of observation, memory, ability to analyze, general information, and other pertinent factors. The Committee shall also conduct such character investigations, as it deems essential. The Committee may, in the discharge of its duties, make use of such expert assistance as is available, and incur expenses in such amount as is approved by the Common Council.

**4.13 ELIGIBLE LIST.**

Upon the completion of the examination and investigation procedure specified in Sec. 4.12, the examining committee shall grade each applicant and submit to the Mayor and to the City Clerk a written report of such grading, showing the final grade and the ranking of each applicant who the Committee has determined to be suitable candidate for appointment. Such eligible list may be effective for one year after date of filing of the report, and may be extended by the Mayor for an additional year by giving written notice to the City Clerk.

**4.14 PROBATIONARY APPOINTMENTS.**

Each appointment by the Mayor of a member of the Police Department shall be provisional for a period of 6 months, and during such period each appointee shall temporarily possess all the powers of the position to which appointed, but he shall not be a permanent member of the Police Department. Any such provisional appointment may be terminated at any time during said 6 month period by the filing of a written notice with the City Clerk by the Mayor in the case of the Chief of Police, or by the Chief of Police subject to the approval of the Mayor in the case of a police officer. At the end of such 6-month period, such appointee shall become a permanent member of the Department if there has been filed with the City Clerk a written statement certifying that such appointee is fit to be a permanent appointee. Such statement shall be filed by the Mayor in the case of the Police Chief, and by the Chief of Police with the endorsement of the Mayor in the case of a Police Officer.

**4.15 MEDICAL CERTIFICATES.**

At any time, but not more than once in any calendar year, the Mayor may require any member of the Department to file with the City Clerk, a medical certificate. If such certificate shall disclose that the Department member is for any reason other than that of a temporary nature, not sound in all respects and not physically qualified for the exacting requirements of police duty, the position of such individual in the Police Department shall be automatically vacated. Such individual, within fifteen (15) days after the filing of such certificate, may demand that he be permitted to submit medical certificates from two physicians to be designated by the County Medical Society. The decision of a majority of the three physicians shall prevail.

**4.16 DISCIPLINARY ACTIONS.**

- (1) Each member of the Department shall be subject to suspension without pay for a period of not exceeding thirty (30) days, and also to demotion or removal from office or employment for misconduct, incompetence, inefficiency, cowardice or failure to perform duties, or to observe the rules and regulations while on scheduled tour of

duty or while acting in an official capacity, but subject to the right of appeal, if any, of the aggrieved party.

- (2) Such action shall be taken by the Mayor in the case of the Police Chief, or by the Police Chief subject to the written approval of the Mayor, in the case of other members of the Department, as provided by statutes, ordinances and any contract between the City and the Algoma Police bargaining unit.
- (3) If not provided for in the bargaining contract, any such Department member shall upon the filing a written demand with the City Clerk within three (3) days after the effective date of such suspension, demotion, or discharge, be entitled to receive within twenty-four (24) hours thereafter, a written statement of the reasons for such actions from the person issuing the order, one copy to be filed with the City Clerk and another to be furnished to the member affected by the action and one copy to Algoma Police Bargaining Unit, if applicable. Within one week after the receipt of such written statement, the member concerned may file with the City Clerk, a written request that the Common Council shall review such suspension, demotion or removal.
- (4) If not provided for in the bargaining contract, the Common Council shall make, or cause to be made, such investigation as it may deem necessary, and thereafter shall hold a public hearing at which time it shall hear evidence for and against the party aggrieved. Hearings may be informally conducted and the strict rules of evidence need not apply. Written conclusion of findings of the Council shall be rendered within ten (10) days after the matter is submitted in the form of a resolution, and thereupon be certified by the Clerk to the official from whose order the appeal was taken. Such findings and conclusions of the Council shall contain such recommendations, as it shall deem warranted.

**4.17 PROMOTIONS.**

Promotions may be made from within the Department whenever possible. The Protection of Persons and Property upon recommendation of the Chief of Police recommend to the City Council a police officer for promotion.

**4.18 SPECIAL POLICEMEN.**

As provided by 62.09(8)(d), Wis. Statutes, the Mayor may in case of riot or other emergency, appoint for a specified time as many special policemen as may be necessary. During such term, each special policeman shall possess only those powers and perform only those duties as shall be specifically assigned to him by the chief of Police. Such term of appointment shall expire not more than one week following the termination of any riot or other emergency.

**4.19 RESIDENCY REQUIREMENT.**

Police Officers shall reside within a fifteen- (15) minute response time from their place of residence to the Police Department. If a police officer does not meet the criteria when hired, the officer must comply within six (6) months after the conclusion of the probationary period.

**4.20 RESIDENCY – POLICE CHIEF**

The Chief of Police of the City of Algoma shall be a resident of the City. If not a resident when hired, residency will be required within six (6) months of the conclusion of the probationary period.