CHAPTER 4

POLICE DEPARTMENT

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4.01 POLICE DEPARTMENT.

(1) COMPOSITION. The Police Department shall consist of the Chief of Police and such number of subordinates as the Council shall from time to time deem necessary.

(2) APPOINTMENT; TERMS. Pursuant to §62.13, Wis. Stats., the Baraboo Police Commission shall appoint the Chief of Police who shall hold office during good behavior subject to suspension or removal by the Commission for cause. The Chief of Police shall appoint subordinates, subject to approval by the Commission. Such appointments shall be made by promotion when this can be done with advantage; otherwise, from eligibility list provided by examination and approval by the Commission and kept on file with the City Clerk. (2623 11/28/2023)

(3) REGULATIONS. Members of the Department shall be governed by the rules and regulations adopted by the Police Chief, resolutions and ordinances adopted by the Council, and the Wisconsin Statutes.

(4) DISCIPLINARY ACTIONS. Disciplinary actions pertaining to the Chief and other members of the Department shall be governed by §62.13(5), Wis. Stats.

4.02 CHIEF OF POLICE, POWERS, AND DUTIES.

(1) The Chief of Police shall possess the powers, enjoy the privileges and be subject to the liabilities conferred and imposed by law upon constables.

(2) He/she shall obey all lawful written orders of the Mayor and the Council.

(3) He/she shall cause the public peace to be preserved and see that all laws and ordinances of the City and State are enforced, and whenever any violation thereof shall come to his knowledge, he/she shall cause the requisite complaint to be made and see that the evidence is procured for the successful prosecution of the offender.

(4) He/she shall exercise supervisory control over all personnel of the Department; may adopt rules and regulations for the government, discipline, equipment and uniforms of police officers; and shall maintain a personnel file for each member of the Department.

(5) He/she shall be responsible for the total operation of the Police Department and the care and condition of the equipment used by the Department.

(6) He/she shall keep an accurate and complete record of all complaints, arrests, traffic violations, convictions, and dispositions of the Department.

(7) He/she shall possess the power to grant authority to the Community Services Officer to issue citations for violations of City Ordinances to the extent deemed appropriate. (2208 09/27/2005)

4.03 POLICE OFFICERS.

(1) GENERAL POWERS AND DUTIES. Each officer of the Department shall possess the powers conferred on constables by the law, shall preserve the public peace and shall enforce the laws and ordinances of the State and City subject to the orders, rules and regulations of the Chief.

(2) POWER OF ARREST. The Chief of Police and any police officer shall arrest all persons in the City found in the act of violating any law or ordinance of the City 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.

4.04 ALARM SYSTEMS.

See §12.14 of this Code. (1833 09/26/95)

4.05 SPECIAL CHARGES AND PERMIT FEES.

(1) Special charges and permit fees shall be charged by the police department as provided in the City's Official Fee Schedule for the following services, among others: (1578 02/12/91)

(a) Money escort service
(b) Failure to lock door -For each failure over 3 in a 12 month period
(c) Special events coverage, except dances sponsored by the Baraboo School District
(d) Bad check investigation
(e) Vehicle identification verification
(f) Emergency vehicle lockouts
(g) Vehicle storage
(h) Special parking permit for contractors (See Ch. 7)
(i) Ch. 51 Wis. Stats. – Transportations

(2) COLLECTION OF SPECIAL CHARGES. Where applicable, the special charges provided in §(1) above, shall be billed to the owner or occupant and, if not timely paid, shall be placed on the tax roll, pursuant to the provisions of §66.0627, Wis. Stats.

4.06 DISPOSAL OF ABANDONED PROPERTY. The Police Department is authorized to dispose of abandoned property in its possession and unclaimed for at least 30 days. Based upon the value of an item, whether it is generic or unique, the condition of the item, and whether the item may have a use in City operations, items may be disposed of in any of the following ways: an Internet auction site (i.e., eBay, PropertyRoom.com, etc.); the bulk sale of items, including sale as scrap; conversion of the item for use by the City; sale at a live auction; and any other method of sale deemed reasonable by the Police Chief based upon the unique characteristics of the item. The Department may, at its sole discretion and based upon the number and type of bicycles in its possession, dispose of abandoned bicycles by providing up to 15 bicycles per calendar year to Sauk County based 501(c)(3) organizations upon application and proof of non-profit status. Firearms shall be disposed of in accordance with §§66.0139 and 968.20, Wisc. Stats. Flammable, explosive, or incendiary substances, materials, or devices that pose a danger to life or property in their storage, transportation, or use immediately after taking possession of the substances may be disposed of in accordance with §§66.0139(3), Wisc. Stats. (2255 04/24/2007; 2344 08/24/2010)