

## Chapter 4

### PUBLIC SAFETY DEPARTMENTS

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**4.01 Office of Village Constable Abolished.** The village pursuant to Wis. Stats. §66.0101 has by its ordinance dated 6/19/50, elected not to be governed by the portion of Wis. Stats. §61.29 providing for the appointment of a village constable.

**4.02 Police.** The police division of the public safety department of the village shall consist of the chief of police and such other police officers as may be authorized by the village board.

(1) **APPOINTMENT OF THE POLICE CHIEF.** The police chief shall be appointed as provided in Chapter 1.03 of this code. The chief of police, subject to the rules, regulations, and approval of the police and fire commission, shall select police officers other than the chief.

(2) **DISCIPLINE.** The chief shall discipline employees pursuant to the provisions of Wis. Stats. §62.13.

(3) **TERMINATION.** The police chief and officers may be terminated only within the provisions of Wis. Stats. §62.13(5m).

(4) **POWERS AND DUTIES OF THE POLICE CHIEF.** The chief of police shall possess the powers of marshal and constable under Wis. Stats. Ch 61 and perform the following duties in addition to the duties set forth in Wis. Stats. Ch 61: (a) be responsible for the administration and supervision of the police department under the supervision of the administrator;

(b) be responsible for the care and maintenance of the equipment and vehicles used by the department;

(c) develop departmental policies and procedures;

(d) maintain departmental ethics and discipline;

(e) perform all the duties of a police officer during a portion of every regular shift;

(f) participate in recruitment, testing, and selection of new personnel;

(g) monitor and authorize overtime of officers with supporting justification;

(h) submit regular reports to the board and special reports when asked;

(i) foster intergovernmental cooperation with other municipal, state and federal agencies;

(j) keep an accurate and complete record of all complaints, arrests, traffic violations, convictions, and dispositions of the department;

(k) prepare budget recommendations and maintain the budget within approved levels;

(l) the Chief of Police shall order background investigations, including Wisconsin Criminal history reports, local in-house record reposts, and driving record reports, of current or potential employees of the municipality with the authorization of the administrator. It shall also be the duty of the police chief to order background checks, including Wisconsin Criminal History reports, local in-house record reposts and driving record reports, on applications for licenses, as warranted.

(m) perform other duties as requested by the village board and provisions of this code.

(5) POLICE OFFICERS. (a) Each officer of the department shall: preserve the public peace; and enforce the laws and ordinances of the state and village subject to the orders, rules, and regulations of the police chief and the village board.

(b) The chief of police and any police officers shall have the powers conferred by Wis. Stats. §61.31(2).

**4.03 Fire.** The fire department of the village shall be known as the Village of North Fond du Lac Fire Department. The department shall consist of the fire chief, officers, and staffing levels as authorized by the village board.

(1) OPERATING POLICIES AND GUIDELINES. The fire department shall adopt operating policies and guidelines for the control, management, and regulation of the department. The policies and guidelines are subject to the approval of the village board. Amendments to the policies and guidelines shall be approved in the same manner. The policies and guidelines shall be filed with the office of the administrator.

(2) FIRE CHIEF. The fire chief shall be appointed subject to the provisions of section 1.03 of this code. (a) The fire chief or the chief's designee shall: 1. be present at all fires and in command of firefighting operations.

2. enforce all fire prevention ordinances of the village and fire prevention laws of the state;  
3. obey all lawful written orders of the village president and village board;  
4. participate in recruitment, testing, and selection of new personnel to the extent allowed by the police and fire commission.

5. submit regular reports to the village board and special reports when asked;

6. foster intergovernmental cooperation with other municipal, state and federal agencies;

7. prepare budget recommendations and maintain budget within approved levels;

8. shall perform the duties of fire inspector required by Wis. Stats. §101.14, and this code. a)

The fire chief shall have the power to appoint one or more deputies to perform the duties in section 4.04(2)(h).

b) No person shall deny access to the fire inspector or the chief's deputies to any property within the village at any reasonable time for the purpose of making fire inspections;

c) No person shall hinder or obstruct the fire inspector or fire inspection deputies in the performance of their duties.

9. perform other duties as requested by the village board and provisions of this code;

(3) FIREFIGHTERS. (a) *Application for membership.* Applications for membership in the department shall be filed with the fire chief and forwarded to the police and fire commission.

(b) the firefighters may be appointed according to the guidelines in the by-laws of the police and fire commission subject to approval by the police and fire commission.

**(4) POLICE POWER OF THE DEPARTMENT.**

The fire chief and designated assistants shall have the police powers prescribed by Wis. Stats. §213.095.

**4.04 Emergency Medical Service.** The North Fond du Lac Emergency Medical Service (EMS) is established for the purpose of providing immediate emergency medical service to residents of the EMS service area as defined by Fond du Lac County, under Wis. Stats. §61.64 and §146.55.

**(1) EMS DIRECTOR.** The EMS Director shall be appointed according to section 1.03 of this code.

**(2) POWERS AND DUTIES OF THE EMS DIRECTOR.** The EMS Director shall have the powers prescribed under Wis. Stats. Ch 146 and perform other duties as prescribed by the village board.

**(3) EMERGENCY MEDICAL SERVICE PERSONNEL.** The village elects to adopt the provisions of Wis. Stats. §146.50 pertaining to EMS personnel, licensure, certification, and training. (a) *Application for Membership.* Applications for membership in EMS shall be filed with the EMS director.

**(4) EMT CERTIFICATION.** Prior to assuming duty as an Emergency Medical Technician (EMT), each applicant must be able to prove certification and licensing at a level recognized adequate by national standards and in accordance with the license requirements of the State of Wisconsin and the Fond du Lac County EMS contract with the village.

**4.05 Emergency Government.**

**(1) EMERGENCY GOVERNMENT DIRECTOR.** The emergency government director shall be appointed in accordance with section 1.03 of this code.

**(2) POWERS AND DUTIES OF THE EMERGENCY GOVERNMENT DIRECTOR.** The emergency government director shall have the power prescribed to the director in Wis. Stat. §166.03(5).

**(3) JOINT ACTION BETWEEN NORTH FOND DU LAC AND FOND DU LAC COUNTY IN TIMES OF EMERGENCY.** (a) *County Ordinance Adopted.* The village accepts and ratifies Fond du Lac County's "Joint Emergency Government Ordinance" as adopted on May 19, 1981, providing for an Emergency Management plan to cover joint county-municipal action in times of emergency.

(b) The village is hereby authorized to enter into a mutual aid agreement as provided by the "Joint Emergency Government Ordinance".

(c) The County-Municipal Emergency Management Director employed by the Fond du Lac County Board as provided in the annexed ordinance is hereby appointed to serve in conjunction with the village president for the municipality of North Fond du Lac, subject to conditions and provisions as set forth in the Wisconsin Statutes and the "Joint Emergency Government Ordinance".

**4.06 Equipment and Apparatus.** No Police, Fire, EMS, or Emergency Management apparatus shall be used for any purpose except for emergency services.

(1) With the approval of the EMS Director/Fire Chief, such apparatus may be used for purposes other than emergencies.

(2) A written report of such uses shall be made annually, as required, to the village board.