

CHAPTER 6
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6.01 POLICE DEPARTMENT. The Police Department of the City of South Milwaukee shall consist of a Chief and such subordinates as may be authorized by the Common Council from time to time. Rep. & Rec. 03/03/92, 1507; Am. 06/01/99, 1738, Rep. & Rec. 11/01/2005, 1892, Am 11/8/06, 1926

6.02 DUTIES OF CHIEF OF POLICE. It shall be the duty of the Chief of Police to cause the public peace to be preserved and to see that all the laws of the state and ordinances of the city are enforced, and whenever any violation thereof shall come to his/her knowledge, he/she shall cause the requisite complaint to be made and see that the evidence is procured for the proper prosecution of the offenders. He/She shall be responsible for the efficiency and general good conduct of the department and shall report to the Mayor and the Police and Fire Commissioners all serious complaints made to him/her against any member of his/her department. Amended 2/7/12, 2042

6.03 POLICE - POWER OF ENTRY AND ARREST. Repealed, 2/7/12, 2042

6.04 POLICE - POWER OF ARREST. Repealed, 2/7/12, 2042

6.05 CHIEF OF POLICE MAY RECEIVE BAIL. Repealed, 2/7/12, 2042

6.06 DISPOSITION OF BAIL MONEY. Repealed, 2/7/12, 2042

6.07 DUTY OF CITIZENS TO ASSIST POLICE. It shall be the duty of all persons in the city, when called upon by the Chief of Police or any police officer, to promptly aid and assist the police in the execution of their duties. Amended 2/7/12, 2042

6.08 RESISTING POLICE OFFICER OR HINDERING POLICE - Renumbered 24.14 01/21/86, 1322

6.085 POLICE CLERK.

- (1) The position of Police Clerk is hereby created.
- (2) The Police Clerk shall be considered a member of the Police Department and shall have such hours of duty as shall be from time to time prescribed by the Chief of Police.
- (3) The Police Clerk shall have such duties as shall be from time to time prescribed by the Chief of Police, Cr. 6/30/65, 528, Amended 2/7/12, 2042

6.09 DUTIES OF POLICE OFFICERS. The members of the police force shall obey the orders of the Chief of Police and shall report to the Chief of Police all violations of the state laws and city ordinances. Amended 2/7/12, 2042

6.10 POLICE OFFICERS - NEGLECT OF DUTY. No member of the police force shall neglect or refuse to enforce the laws of the state or the ordinances of the city or to perform any duty required of him/her by the laws of the state or the ordinances of the city, or any of the police rules and regulations. Nor shall any member of the police force, in the discharge of his/her duties as such officer, be guilty of any fraud, extortion, oppression, favoritism, partiality, or willful wrong or injustice. Amended 2/7/12, 2042

6.11 POLICE OFFICERS SHALL NOT COMMUNICATE ORDERS. No member of the police force shall communicate, except to such persons as directed by the Chief of Police, any information or orders he/she may have received or as to any regulation that may be made for the government of the department. Amended 2/7/12, 2042

6.12 POLICEMEN SHALL WEAR BADGE. Repealed 2/7/12, 2042

6.13 POLICEMEN SHALL WEAR UNIFORM. Repealed 2/7/12, 2042

6.15 DISPOSITION OF ARRESTED PERSONS. Repealed 2/7/12, 2042

6.16 RECORD OF ARRESTS SHALL BE KEPT. Repealed 2/7/12, 2042

6.17 RECORD OF OFFENSES COMMITTED. Repealed 2/7/12, 2042

6.18 ARRESTED PERSONS TO BE TRIED IN MUNICIPAL COURT. Repealed 2/7/12, 2042

6.19 DISORDERLY HOUSES. Repealed 2/7/12, 2042

6.20 PATROLMEN TO REPORT DEFECTIVE STREETS. Repealed 2/7/12, 2042

6.21 AUCTION OF GOODS LEFT AT POLICE STATION. Repealed 2/7/12, 2042

6.22 MONEY TO BE PAID OVER TO CITY TREASURER. Repealed 2/7/12, 2042

6.23 SUSPENSION OF POLICE OFFICERS. Any member of the Police Department may be suspended by the Chief of Police for violating any rule, regulation or order of said department, subject however to the provisions of law and the rules and regulations of the Police and Fire Commissioners governing the subject of suspensions. Amended 2/7/12, 2042

6.24 NO POLICE OFFICER SHALL PUT UP BAIL. The Chief of Police and the police officer shall be incompetent bail for any person arrested and in no case shall become bail for any person.

6.25 CHIEF OF POLICE MAY MAKE RULES AND REGULATIONS. The Chief of Police may make such other rules and regulations for the government of the police force of this city as he/she may deem necessary, which rules and regulations shall, however, not be inconsistent with this ordinance. Amended 2/7/12, 2042

6.26 Renumbered 7.08

6.28 SCHOOL CROSSING GUARDS.

- (1) The Chief of Police is hereby authorized to appoint, subject to the approval of the Common Council, School Crossing Guards who shall be assigned to duty at school crossings.
- (2) The Common Council shall determine the qualifications, rate of pay, maximum hours of services, and the number of such School Crossing Guards.
- (3) School Crossing Guards shall direct and guide school children at school crossings in the area to which they may be assigned from time to time on days when the schools are in session. No School Crossing Guard shall have the power of arrest. Training and supervision shall be under the direction of the Police Department. Amended 2/7/12, 2042
- (4) All School Crossing Guards shall be furnished a standard uniform. Cr. 01/18/51, 424; Renumbered 10/29/53, 499; Amended 2/7/12, 2042

6.29 PENALTIES. Repealed 2/7/12, 2042

6.30 SOCIAL WORKER. Repealed 2/7/12, 2042

6.31 ESTABLISHING AN AUXILIARY POLICE FORCE. Amended 2/7/12, 2042

- (1) VOLUNTEER APPOINTMENT. The Chief of Police is hereby authorized and empowered to appoint from time to time, Auxiliary Police Officers as he/she shall deem necessary, who shall serve without compensation.
- (2) ELIGIBILITY. No person shall be eligible for appointment as an Auxiliary Police Officer who is:
 - (a) Under 18 years of age
 - (b) Not a citizen of the United States

- (c) Not trustworthy and of good moral character
 - (d) Has, within 10 years of the date of his/her application for appointment as an Auxiliary Police Officer, been convicted of a felony or any offense involving moral turpitude.
- (3) **DUTIES.** Every Auxiliary Police Officer shall perform those duties assigned to him/her by the Chief of Police, according to the rules and regulations established therefore in order to assist regularly appointed police officers in the discharge of police duties.
- (4) **APPLICATION FOR EMPLOYMENT.** Any person desiring appointment as an Auxiliary Police Officer shall file with the Chief of Police an application upon a form to be supplied to him/her. He/she shall, on such application, give the information required, shall sign the same and by affidavit shall swear or affirm that the statements and answers therein contained are true to the best of his/her knowledge and belief. If the Chief of Police or an authorized representative of his/her department from said application or upon investigation determines that the applicant is eligible under the provision of this ordinance and the rules and regulations previously referred to herein, for an Auxiliary Police Officer, he/she shall so certify to the Police and Fire Commissioners.
- (5) **OATH.** The Auxiliary Police employees shall swear and subscribe to the same oath as that required by all South Milwaukee Police Officers.
- (6) **UNIFORM.** Any person who is assigned duties as an Auxiliary Police Officer shall wear a special uniform and badge assigned to him/her by the Chief of Police.
- (7) **POLICE AND FIRE COMMISSION.** The Police and Fire Commission will review all applications and shall have the responsibility of certifying an applicant.
- (8) **REMOVAL.** The chief may suspend or remove any person or persons as an Auxiliary Police Officer at any time when such person does not perform the assigned duties as provided or fails to comply with the rules and regulations of the South Milwaukee Police Department. Cr. 06/21/83, 1241

6.32 CRIMINAL HISTORY RECORD INFORMATION SEARCH.

- A. **STATE REQUIREMENTS.** The City of South Milwaukee is a municipal corporation which provides government services to its citizens and the general public, and in order to efficiently provide services, it is necessary to conduct criminal history record searches concerning certain persons. The ordinance is enacted in order to comply with a State of Wisconsin requirement that provides that a municipality that requests the State provide them with criminal history record information concerning an individual under certain circumstances have an ordinance enacted authorizing such requests.
- B. **PURPOSE.** This ordinance is adopted for the purpose of providing the City of South Milwaukee Police Department with the authority to request criminal history record information from the State of Wisconsin if requested by the City Administrator.
- C. **AUTHORITY.** If requested by the City Administrator the City of South Milwaukee Police Department shall conduct a criminal history records information search concerning the following persons:
- a. Alcohol license and permit applicants;

- b. Transient merchant license applicants;
 - c. Applicants for city employment;
 - d. Applicants for all other licenses and permits which may be issued by the City of South Milwaukee;
 - e. An officer or partner of any corporate partnership applicant for license or permits;
 - f. Any other person for whom the City Administrator requests criminal history information. A request under this subsection must be based on a reasonable belief that the criminal history information is necessary to assist in the safe and efficient operation of city government.
- D. The cost of the search shall be allocated to the appropriate budget by the City Administrator.
Cr. 10/2/2007, 1950

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