

CHAPTER 3

POLICE AND CIVIL DEFENSE

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3.01 PERSONNEL

The Police Department of the City of Augusta shall consist of the Chief of Police and such other police officers as the City Council may prescribe from time to time by ordinance or resolution.

3.02 APPOINTMENT AND REMOVAL

Police Officers, other than the Chief of Police, shall be selected by the Chief of Police. The Chief of Police shall have the authority to hire all Police Officers with the exception of full-time Police Officers being subject to final approval by the City Council. The Chief shall have full authority to demote, suspend temporarily or remove from the force any officer of the Department, subject to the right for such officer to appeal to the City Council for reinstatement.

3.03 GENERAL POWER OF POLICE OFFICERS

The Chief of Police and all Policemen of the City shall possess the powers, enjoy the privileges and be subject to the liabilities conferred and imposed by law on City Police. Every member of the Police Department shall have the full power and authority and it shall be his duty to:

- (1) Arrest with or without process all persons in the City violating any law or ordinance of the State or City or aiding or abetting in such violation.
- (2) Familiarize himself with the ordinances of the city and attend to the enforcement of such ordinances by all lawful means.
- (3) Help prevent crimes, misdemeanors and violations of City ordinances and protect the health, safety, public peace and order of the City and its inhabitants.
- (4) Report all street and sidewalk obstructions, unlighted streetlamps, unlawful street signs or signals and defective or dangerous streets and sidewalks to the Director of Public Works.

- (5) Assist the Fire Department in maintaining order at the scene of a fire.
- (6) See that the necessary permits and licenses issued by the proper authority of the State or City are in the possession of or properly displayed by any person engaged in an activity or business within the City for which such permits or license is required and that the terms of such permits or licenses are complied with.

3.04 CHIEF OF POLICE

- (1) **Appointment** See **Section 2.03** of the code.
- (2) **Duties** In addition to the duties imposed upon him in Section 3.03, the Chief of Police shall have the duties:
 - (a) He shall keep in his office a record of all arrests made by members of the Department, traffic tickets issued, the dates, hours and places thereof, names of persons arrested, arresting officers, offenses charged, actions taken and results.
 - (b) He shall not be absent from duty or leave the City without first reporting to the Mayor, provided he may leave without such report when discharging his official duties or when in pursuit of a person known to have violated any law or ordinance of the State or City.
 - (c) He shall submit a written monthly report to the City Council of all activities and transactions of the Department during the preceding month.
- (3) **Powers** The Chief of Police shall have command of the Police force of the City of Augusta and shall have custody, care and control of the property and equipment of the Department.

3.05 CIVILIANS TO ASSIST

It shall be the duty of all persons in the City, when called upon by any police officer or peace officer, to promptly aid and assist him in the execution of his duties and whoever shall neglect or refuse to give such aid or assistance shall be subject to a penalty as provided in **Section 15.04** of this code.

3.06 OBEDIENCE TO OFFICERS

See Section **12.02(4)** of this code.

3.07 ASSISTING ESCAPE OF PRISONER

See Section **12.02(5)** of this code.

3.08 PERSONATING POLICE OFFICERS

See Section **12.02(6)** of this code.

3.09 SPECIAL PEACE OFFICERS

The Mayor and Council Members shall have and exercise the powers of peace officers and may summarily suppress and riotous or disorderly conduct in the streets or public places in the City.

3.10 CIVIL DEFENSE

- (1) **Definition** Civil Defense shall mean the preparation for the carrying out of all emergency functions other than functions for which the damage resulting from disaster caused by enemy attack, sabotage or other hostile action or by fire, flood or other natural causes.
- (2) **Civil Defense Director and Coordinator**
 - (a) **Appointment** See **Section 2.05** of this code.
 - (b) **Duties and Powers of Civil Defense Director** The Director shall have the duties and powers as specified in the Eau Claire County Ordinance entitled "Civil Defense for Eau Claire County."
 - (c) **Duties and Powers of Civil Defense Coordinator** The Civil Defense Coordinator shall be the executive head of the City Civil Defense organization and shall have direct responsibility for the organization, administration and operation of the organization, subject to the direction and control of the Mayor and City Council. In addition to such powers and responsibilities as may be imposed on him from time to time by the City Council, he shall have the authority and it shall be his duty to:
 1. Coordinate all activities for civil defense within the City.
 2. Maintain liaison and cooperate with civil defense agencies and organizations of other political subdivisions and of the state and federal governments.
 3. Participate in county and state civil defense activities upon request.
 4. Aid in the preparation of a comprehensive general plan for the civil defense of the City and present such plan to the City Council for approval.
 5. Upon the declaration of any emergency, issue all necessary proclamations as to the existence of such state of emergency and such disaster warning or alerts as shall be required in the Civil Defense plan.
- (3) **Utilization of Existing Services and Facilities** In preparing and executing the civil defense plan, the Director and Coordinator shall utilize the services, equipment, supplies and facilities of the existing departments and agencies of the City to the maximum extent practicable. When the City Council has approved the plan, it shall be the duty of all municipal agencies and departments of the City to perform the duties and functions assigned by the approved plan.

- (4) **Declaration of Emergencies** The civil defense organization shall take action in accordance with the civil defense plan only after the declaration of any emergency and issuance of official disaster warnings. Declaration of emergency shall be made by the Governor, the City Council, the Mayor or, in his absence, by the Director or Coordinator. Such state of emergency shall continue until terminated by the issuing authority, provided that any declaration not issued by the Governor may be terminated by the City Council.
- (5) **Emergency Regulations** Whenever necessary to meet a civil defense emergency for which adequate regulations have not been adopted by the City Council, the Mayor and, in his absence, the Director or Coordinator of Civil Defense, may proclaim, promulgate and enforce orders, rules and regulations relating to the conduct of person and the use of property which are necessary to protect the public peace, health and safety, and preserve lives and property, and to insure cooperation in civil defense activities. Such proclamations shall be posted in three (3) public places and may be rescinded by resolution of the City Council.
- (6) **Obstruction of Defense Organization; Penalty** No person shall willfully obstruct, hinder or delay any member of the civil defense organization in the enforcement of any order, rule, regulation or plan issued pursuant to this section or violate any order, rule, regulation or plan issued pursuant to the authority contained in this section. Any person who shall violate any provision of this section shall upon conviction thereof be subject to a penalty as provided in Section 15.04 of this code.

3.11 RESIDENCY REQUIREMENTS

- (1) The City of Augusta conforms to Wis. Stat. § 66.0502 and establishes not less than a 15 mile residency requirement for full time Police Department employees.
- (a) All full time police officers shall maintain a 25 mile residency requirement from the boundaries of the City limits of Augusta.
 - (b) When determining distance, a straight line radius will be drawn from the boundaries of the city and extending 25 miles in any one direction.
 - (c) This restriction begins 12 months after the date of hire for full time employees.
 - (d) Extensions or waivers of this requirement may be granted at the recommendation of the Chief of Police and approval by the Augusta City Council.
- (2) All sections or parts of sections contravening the provisions of this section are hereby repealed.
- (3) This section shall take effect on passage and publication.