

ORDINANCE NO: 56

**AN ORDINANCE CREATING AND ESTABLISHING THE
POLICE AND FIRE COMMISSION**

The Town Board of the Town of Grand Rapids, Wisconsin, pursuant to Wisconsin Statutes 60.56, 60.57 and 62.13 does ordain as follows with regard to its Town Ordinances:

56.1 Statutory Authority

The Town of Grand Rapids Board of Police & Fire Commissioners, also known as the Town of Grand Rapids Police & Fire Commission, is hereby established pursuant to Sections §60.56, §60.57 and §62.13, Wis. Stats.

56.2 Commission Membership

The Town of Grand Rapids Police & Fire Commission shall consist of five (5) citizens members, none of whom may simultaneously be elected or appointed officials of the Town, nor may the members be employees of the Town. Three (3) members shall constitute a quorum. No more than three members of the Commission shall be members of the same political party.

56.3 Appointment and Terms of Members

The Town Chairperson shall appoint, subject to confirmation of the Town Board, the members of the Commission, pursuant to Sections §62.13 (1) and § 60.57 (3), Wisc. Stats. Such appointments shall be made annually, initially with one appointment for approximately five years, one for approximately four years, one for approximately three years, one for approximately two years, and one for approximately one year. Thereafter, the Town Chairperson shall annually, between the last Monday of April and the first Monday of May, appoint in writing to be filed with the Secretary of the Board, one member per year for the term of five years. All terms, including the initial terms described above, shall expire on their appointed year, on the date that the Town Chairperson appoints new members. Member of the Commission shall be compensated for their service in paid per diems as per town policy. All vacancies shall be filled by appointment by the Town Chairperson for the unexpired term subject to confirmation by the Town Board.

56.4 Meetings

The members of the Commission shall meet within thirty days of the entire Commission taking its oath of office for the initial selection of officers. Thereafter, there shall be a meeting within thirty days of the Chairperson's regularly scheduled annual appointment of a new member, for the selection of officers. The Commission shall meet at least one time per year as required herein for its organizational meeting and may meet more frequently thereafter as necessary to discharge its duties. The Commission may adopt rules as allowed by law to more effectively conduct its affairs. All Commission meetings shall be open to the public, except as provided by the Wisconsin Open Meetings Law, Sec. 19.84, et seq., and Sec. 62.13, Stats. The Commission shall have the powers and duties as provided herein or otherwise provided by law, including Sec. 62.13, Stats. , with the exception of the optional powers enumerated in Sec. 62.13 (6), Stats.

56.5 Officers

Officers shall be elected by and from among the sitting Commission members for a one (1) year term. There shall be a Chairperson, a Vice-Chairperson and a Secretary. Each of the

five Commission members shall have an equal vote for all matters brought before the Commission for consideration. The Commission members may appoint a non-commission person to act as Assistant Secretary, to assist in duties of Secretary.

56.6 Officers Duties and Responsibilities

Board officers shall have the following duties and responsibilities:

- (1) Chairperson. The Chairperson shall:
 - a) Preside over all meetings and hearings and ensure their orderly conduct;
 - b) Accept filing of written charges against Chiefs and subordinates;
 - c) Issue subpoenas for the attendance of witnesses at hearings pursuant to Wis. Stat. § 62.13 (5) (d);
 - d) Administer oaths to witnesses appearing before the Board;
 - e) Formally read the charge(s) to the accused at any hearing, including the provisions alleged to have been violated;
 - f) Ask question and control questions asked by other Board members during any hearing;
 - g) Ensure standards for procedural due process are afforded the accused at any hearings; and
 - h) Adjourn Commission proceedings.
- (2) Vice-Chairperson. The Vice-Chairperson shall act in the capacity of Chairperson whenever the Chairperson is unavailable to act for any reason.
- (3) Secretary. The Secretary shall:
 - a) Conduct all correspondence of the Commission, send all notices required by law, ordinance or these rules, or as otherwise requested by the Commission;
 - b) Cause to be published such official notices as are required;
 - c) Attend and keep a record of all Commission proceedings, including the preservation of testimony and any evidence received by the Commission at any hearings in a permanent record and to certify such record to the Circuit Court when required by law;
 - d) Maintain the minutes of each meeting and hearing, with said minutes being signed by the Secretary and Chairperson upon approval by the Commission;
 - e) Provide copies of all Commission minutes to each Commission member as soon as possible and file a copy of said minutes with the Town Clerk;
 - f) Accept filing of all appointments under Wis. Stat. §62.13 (1); and
 - g) Accept for filing all findings and determinations of the Commission relative to disciplinary actions and Commission orders, all of which shall be filed within three (3) days of their adoption pursuant to Wis. Stat. § 62.13 (5)(f).

56.7 Appointment of Chiefs.

The Commission shall appoint the Chief of Police and Chief of the Fire Department, who shall hold their offices during good behavior, subject to suspension or removal by the

Commission for just cause.

56.8 Subordinates, Re-Employment, Disciplinary Actions Against Subordinates and Dismissals.

1. The provisions of Sec § 62.13 (4) and §62.13 (5) of Wis. Stats and all actions amendatory thereto so far as the same are applicable are hereby incorporated herein and shall be effective in the same manner as if set forth full herein. The term "Board" which appears in section §62.13 (4) and §62.13 (5) shall be for the purpose of this ordinance interpreted to mean the Police Commission.
2. The Chief of Police shall have the right to summarily suspend or remove any subordinate who is on probationary status without the necessity of granting said subordinate a hearing. In addition thereto, the Commission may suspend or remove the Chief summarily in the same manner, if said Chief is employed on a probationary status.

56.9 Removal of Commissioners

Commissioners may be removed by majority vote of the Town Board at any time without cause and without a hearing. Any Commission vacancy created by removal or resignation shall be filled by appointment by the Town Chairperson, subject to confirmation by the Town Board, for the remainder of the unexpired term.

This ordinance shall take effect from and after the date of its passage and publication as provided by law.

HISTORY

Declaration/Ordinance/Resolution No

Dated

RESOLUTION NO: 2008-22

24-June-2008