

VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022

MEETING: PUBLIC SAFETY COMMITTEE

DATE AND TIME: MONDAY, October 5, 2020 6:00 p.m.

LOCATION: Germantown Village Hall Board Room
N112 W17001 Mequon Road

NOTICE: Pursuant to the current recommendation of the Centers for Disease Control and Prevention limiting the size of public gatherings, capacity within the Board Room will be limited. Members of the body and citizens may also attend the meeting virtually through the WebEx platform, Meeting #: 126 392 3592 Password: Jrm4JBZhm69 which can be accessed by phone at 408-418-9388 or by logging on at <https://villageofgermantown.my.webex.com/villageofgermantown.my/j.php?MTID=m7da61446841ffc33cf1d91fcf8903c42>. Citizens wishing to view the meeting are encouraged to watch the live broadcast of the meeting through Channel 25 on Spectrum cable, or the livestream on the Village's website. Citizens not wishing to attend the meeting personally or virtually may submit any public comments by sending an email to comments@village.germantown.wi.us by 4 p.m. on the day of the meeting so that it can be provided to the members of the body for their consideration.

- I. **CALL TO ORDER:** This meeting has been given public notice in accordance with Wisconsin Statutes, Section 19.83 and 19.84 in such form that will apprise the general public and news media of subject matter that is intended for discussion and action.
- II. **ROLL CALL:** Chairperson Miller, Trustees Wing, Pieper and Myers.
- III. **PUBLIC COMMENT:** *Please be advised per §19.84(2), information will be received from the public. It is the policy of this municipality that there be a three (3) minute time period, per person, with time extension per the Chief Presiding Officer's discretion; be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments. (15 minutes) Written Public Comments should be directed to comments@village.germantown.wi.us, by 4 p.m. on Monday, October 5, 2020.*
- IV. **APPROVAL OF MINUTES:** August 3, 2020, Regular Meeting and August 10, 2020 Special Meeting.
- V. **REPORTS:**
 - A. Police Department.
 1. Monthly.
 2. 2019 Annual Report.
 - B. Fire Department.
 1. Monthly.
 - C. Overtime Reports.
 1. Police Department.
 2. Fire Department.

D. Policy Updates.

1. Police Department:

- a. Chief's Preface.
- b. Policy 100. Law Enforcement Authority.
- c. Policy 101. Chief Executive Officer.
- d. Policy 102. Oath of Office.
- e. Policy 103. Policy Manual.
- f. Policy 200. Organizational Structure and Responsibility.
- g. Policy 201. Department Directives.
- h. Policy 202. Emergency Operations Plan.
- i. Policy 203. Training.
- j. Policy 204. Electronic Mail.
- k. Policy 205. Administrative Communications.
- l. Policy 206. Supervision Staffing Levels.
- m. Policy 207. Former Officer Carrying Concealed Weapons.

2. Fire Department:

- a. None.

VI. **UNFINISHED BUSINESS:**

- A. None.

VII. **NEW BUSINESS:**

- A. Animal Fancier License - Crystal Prado; N96W15250 County line Road
- B. Ordinance 14-2020, An Ordinance Amending the Official Traffic Map and Control Devices.
- C. Ordinance 15-2020, An Ordinance Creating Section 9.21 Prohibiting Residential Picketing.
- D. Ordinance 16-2020, An Ordinance Creating Section 7.20 Relating to Compliance with Traffic Control Devices on Private Streets.

VIII. **NEXT MEETING:** Set November 2020 Meeting Date and Time.

IX. **ADJOURNMENT:**

UPON REASONABLE NOTICE, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service please contact the Village Clerk at (262)250-4740 at least 2 days prior to the meeting.

NOTICE is given that a majority of the Village Board may attend this meeting to gather information about an agenda item over which they have decision making responsibility. This may constitute a meeting of the Village Board per State ex rel. Badke v. Greendale Village Board, even though the Village Board will not take formal action at this meeting.

MEETING MINUTES
PUBLIC SAFETY COMMITTEE MEETING
AUGUST 3, 2020
GERMANTOWN VILLAGE HALL BOARD ROOM

CALL: The meeting was called to order at 6:00 p.m. by Chairman Miller.

ROLL CALL: Chairman Miller and Trustee Myers were present. Trustees Pieper and Wing attended virtually via Webex.

Also present were Police Chief Snow, Fire Chief Delain (virtual via Webex), Clerk Braunschweig, Administrator Kreklow.

PUBLIC COMMENT: Trustee Zabel referenced the engine compression braking ordinance and asked for consideration to place this type of signage on County Line Road at Lannon Road due to complaints he has received regarding engine braking in that area. He asked that the highway department forward this request to the county for signage placement. Trustee Myers stated he would bring this matter to the attention of the Public Works Director and ask that contact is made with the county regarding this request.

Miller advised that there were two written complaints received from residents, one from Dennis Kidd at W160 N10513 Old Farm Road and another from an anonymous complainant, regarding barking dogs at a neighbor's residence. Mr. Kidd requested some type of action be taken by the Village, such as a letter sent out to all dog owners notifying them of their responsibilities as a pet owner and stating that fines can be issued for non-compliance.

Snow advised that a check of department records showed a resident in that area was cited for barking dogs in 2014 but there were no further complaints since then. He added that he could call Mr. Kidd and encourage him to report the barking incidents when they are occurring, and an officer could respond to the area. Myers asked how it is determined if the complaint warrants a citation, Snow advised that when a complaint is received, an officer will monitor the area, question witnesses if there are any, and officer discretion is used in issuance of citations.

APPROVAL OF MINUTES: a motion was made by Myers, seconded by Pieper, to approve the minutes of the July 6, 2020 Public Safety Committee meeting. Motion carried unanimously.

POLICE DEPARTMENT MONTHLY REPORT: Snow reported on the following:

- a fight took place at the Germantown high school during a basketball tournament which was then reported on local news and social media, Snow advised the initial media reports did not cover the event in its entirety and adjustments to the reporting were followed up on the next day. Snow stated the incident is still under investigation and did not involve any Germantown teams or staff.

- Some personnel have been affected by COVID-19 with one hospitalized, full recoveries are expected
- The agreement with Milwaukee County for police assistance with the Democratic National Convention is no longer in effect, area departments will not be sending in personnel to assist as circumstances have changed since the agreement was made and there are officer safety issues to consider, he added that close to 100 departments have pulled out of the agreement

FIRE DEPARTMENT MONTHLY REPORT: Delain reported on the following:

- Also have some personnel out with COVID-19, none serious
- Five members of the department are leaving for other careers, there are discussions in progress with the Administrator and Finance Director regarding the personnel shortage
- Fire inspections were restarted in July, they are having some difficulty completing some of the inspections due to lockdowns, especially at senior living facilities
- Myers requested an update on virus numbers in the Village, Delain stated that the Health Department is no longer forwarding that information to the department, Miller noted that information is available online

OVERTIME REPORTS:

Police Department – Snow advised the overtime budget is tracking well, training expenses were down, and with schools closed for part of the year the School Resource Officers were able to work patrol and help with shortages in that area

Fire Department – Delain said that the numbers are similar to last month, it is anticipated that these numbers will increase with their staffing issues

POLICY UPDATES FOR POLICE & FIRE DEPARTMENT:

Police Department - none

Fire Department - none

UNFINISHED BUSINESS: none

NEW BUSINESS

Trustee Wing arrived at the meeting at this time, 6:25 p.m.

POLICE DEPARTMENT – CHANGEOVER FOR TWO (2) NEW 2020 FORD POLICE INTERCEPTOR UTILITY SQUADS: Snow advised the changeover costs will be higher than normal due to vehicle changes in the 2020 models. Two quotes were received from General Fire Equipment Co. Inc. for the changeover costs:

\$14,766.97 for squad 12

\$14,841.87 for squad 17

A motion was made by Myers, seconded by Wing, to forward this purchase request to Village Board with a recommendation of approval. Motion carried unanimously.

Wing requested that committee discussion return to the Police Department Monthly Report, he was trying to comment while in virtual attendance and was having technical difficulties.

POLICE DEPARTMENT MONTHLY REPORT – continued: Wing advised he had some concerns regarding the mask ordinance, politics and police work. He said he was disturbed that the department was taking calls regarding people not wearing masks and felt that the officers time could be better utilized. He added that some departments have prepared letters for their communications officers to read to complainants calling about mask violations, the letters are read and officers are not sent out on these calls. Wing then stated he would like to see the department change its course and realize that this is a political movement, and he would prefer that no officers are sent to respond to complaints of mask-compliance.

Discussion followed with Chief Snow advising that the Germantown Police Department's approach to this issue is no different than the safer at home rules, their goal in this matter is to raise resident's awareness. He said the department does not intend to take people into custody or detain them for not wearing masks but will make an effort to gain their compliance.

Wing went on to say that he would like to see the department use a prepared letter to respond to mask complaints. Snow responded he would not use a letter and had already advised the Sheriff's Office of his decision. He stated the department would continue to react appropriately to mask complaints until there is an order from the governor's office rescinding the mask mandate. Snow stated the time spent on these types of complaints has been minimal, and as a police department it is their responsibility to address any and all complaints made to them.

Administrator Kreklow pointed out that Wing was correct about this matter having political connotations and noted that sheriff's departments may be using a different approach to the mask mandate. He added that there are options to this matter that can be explored through the court system and legislative efforts. Kreklow advised the Village Board can pass resolutions if they have concerns, but he would prefer that politics are not injected into police department responses.

NEXT MEETING: Special Public Safety Committee Meeting on Monday, August 10th.

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:44 p.m.

Recorded by,

Julie L. Barth
Secretary

**VILLAGE OF GERMANTOWN
SPECIAL PUBLIC SAFETY MEETING MINUTES
August 10, 2020**

CALL TO ORDER: The meeting was called to order at 7:00 p.m. by Chair Miller.

ROLL CALL: Present: Miller, Myers, Pieper, Wing.

Also present: Administrator Kreklow, Clerk Braunschweig, Attorney Sajdak, Director Retzlaff, Director Schroeder, and Manager Tucker. Clerk's Note: This was a partial Virtual Webex Meeting.

CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing:

None.

NEW BUSINESS:

Extension of Liquor Fermented Malt Beverage License Premise: Von Rothenburg Bier Stube, Charles Hastings, Agent, N116W15841 Main Street / N116 W15863 Main Street. Expanded fenced in outdoor area of the beer garden, an additional 20% larger than its current size. A fence to the South will be included. Additional 6-8 tables with designated area for customers with pets. The plan also includes the stage being relocated to the South fence line.

Motion (Myers/Wing) to approve Extension of Liquor Fermented Malt Beverage License Premise: Von Rothenburg Bier Stube, Charles Hastings, Agent, N116W15841 Main Street / N116 W15863 Main Street. Expanded fenced in outdoor area of the beer garden, an additional 20% larger than its current size. A fence to the South will be included. Additional 6-8 tables with designated area for customers with pets. The plan also includes the stage being relocated to the South fence line.

Discussion ensued of the extension. There were noticeable audio issues in the meeting. Discussion ensued of temporary versus permanent. The stage has been moved away from the homes. The fence is 25 foot back. Trustee Wing gave history to the item with the neighbors and the bar. The bar was a house at one time. The owner, Mr. Hastings has had numerous discussions with the neighbors. Additional trees were planted.

Amendment Motion by Wing for an additional 20 feet fence to the lot line. Motion failed for lack of a second.

Original motion carried. Wing voted no.

ADJOURNMENT.

ADJOURNMENT: There being no further business, the meeting adjourned at 7:27 p.m.

Respectfully Submitted,

Deanna Braunschweig

Deanna B. Braunschweig, WCMC/CMC
Village Clerk

Overtime Report for Police & Fire Departments

2020 Year to date through:

23-Aug-20

Empl # Employee Name	2020				2019			
	Total OT Hours Paid	Total Cost of OT Paid	Total OT Hrs to Comp	Time off Hours	Total OT Hours Paid	Total OT Hrs to Comp	ANNUAL Total of OT hours worked	ANNUAL Total OT to Pay
Police Dept								
90 Ball, Brian	2.00	128.73	26.25	39.38	0.00	77.63	77.63	0.00
93 Bartelt, Adam	2.25	102.06	65.00	97.50	22.25	222.38	244.63	1,009.26
92 Bloch, Ryan	217.50	12,586.73	10.50	15.75	228.25	90.38	318.63	13,208.83
115 Case, Robert	0.00	0.00	9.00	13.50	0.00	84.00	84.00	0.00
113 Duckert					22.75	72.00	94.75	1,031.94
118 Farnsworth, Cody	13.00	589.68	52.00	78.00	21.50	162.00	183.50	975.24
153 Jones, Matthew	19.00	961.02	66.75	100.13	65.00	74.25	139.25	3,287.70
101 Jones, Shawn	0.00	0.00	52.75	79.13	49.25	51.75	101.00	3,169.98
88 Laux, Kevin	39.00	2,256.93	67.00	100.50	54.25	91.38	145.63	3,139.45
107 Majkowski					18.25	56.63	74.88	879.01
142 Marten, Shawn	0.00	0.00	113.75	170.63	0.00	3.00	3.00	0.00
102 Mikulec, Daniel	21.25	1,229.74	45.75	68.63	54.25	93.38	147.63	3,139.45
119 Onela, Michael	0.00	0.00	64.50	96.75	37.75	168.38	206.13	1,712.34
138 Olson, Toni	58.00	3,439.98	26.75	40.13	132.25	73.13	205.38	7,843.75
137 Pesch, Justin	163.25	8,257.19	45.25	67.88	131.25	76.50	207.75	6,638.63
133 Pierce, Catherine	0.00	0.00	64.00	96.00	0.00	196.13	196.13	0.00
96 Pierzchalski, David	0.00	0.00	165.50	248.25	93.25	204.38	297.63	5,396.38
98 Rechlicz, Justin	87.00	5,034.69	22.00	33.00	141.25	92.25	233.50	8,174.14
121 Schubert, Matthew	0.00	0.00	49.00	73.50	15.00	143.63	158.63	868.05
89 Schulz, Zachary	8.25	397.36	63.25	94.88	45.50	122.63	168.13	2,191.51
97 Spreiter, Jared	41.50	1,998.85	71.25	106.88	166.50	167.63	334.13	8,019.47
99 von Bereghy, Darren	89.75	5,193.83	94.25	141.38	250.00	169.50	419.50	14,467.50
95 Whealon, Shaun	46.25	2,097.90	34.00	51.00	116.25	122.25	238.50	5,273.10
Total Police		44,274.68					*	90,425.71
Annual Budget		90,000.00						90,000.00

State Aid Reimbursement	0.00	08/28/2020	Total year end actual = \$1: \$ 105,585.50	
			* (difference from report due to personnel changes)	
			2018 State Aid Reimb	\$0.00
			2018 'Hunting/Concealed Carry Permit	0.00

Note: Overtime hours to comp are reflected in regular wages

Fire Dept - Full Time								
*	593 Smith, Steve	6.75	226.60			29.75		998.71
Fire Dept Regular Part-time								
		Overtime Hrs	True OT cost			OT Hours	True OT Cost	
**	515 Diamantopoulos	366.50	8,823.75			474.50	11,057.96	
**	517 Dymond	166.50	4,726.57			474.50	11,057.96	
**	518 Lazovik	232.25	5,240.92			229.00	5,396.53	
**	521 Rigden	216.50	4,982.54			86.50	1,442.43	
**	563 Rossman	306.75	8,425.43			306.00	9,469.94	
**	617 Hass, Thomas		0.00			47.50	1,019.96	
**	625 Goetz, Steve	168.00	4,266.38			67.00	713.36	
**	653 Asmondy		0.00			60.00	1,059.35	
**	672 Krieg, Caitlyn	307.00	7,923.22			779.50	19,718.95	
**	694 Mayer, Andrea	84.00	2,341.09			237.75	6,075.71	
**	698 Wolf	469.25	11,424.68			334.50	7,620.55	
		58,154.58					74,632.70	

Effective July 24, 2013 - POC's over 53 hours/week

		Hrs over 53	2020	2019 Hours	2019 Cost
***	505 Wilson, Taylor		1,493.96	52.50	1,325.21
***	506 Thiel, Brent		160.56	16.25	384.73
***	517 Dymond, Daryn		0.00	96.75	2,630.65
***	525 Schuster, Andrew		1,524.48	1.00	25.49
	527 Daemmrlich, Craig		305.88		
	528 Weisflog, Susan		367.11		
	549 Niggemeier, C		44.38		
***	639 Rammel, Brian		0.00	26.75	785.06
***	658 Silvis, Peter		8,663.51	18.00	452.79
***	674 Creegan, James		744.52	17.75	444.78
***	682 Beffel, Elizabeth		156.69		
	683 Martinich, Michael		325.00		
***	690 Holms, Mitchell		892.41	11.50	287.39
***	697 Holms, Spencer		197.51	30.25	824.80
	total POC overtime	0.00	14,876.01	270.75	7,160.90
*	Full time, hours are over and above the 20 normal overtime hours reflected in their base wages				
**	Part time hours worked over and above 53 normal hours in one week, which are paid at 1.5 times				

True OT Cost thru:
23-Aug-20 77,250.96
0.00

Last year's true OT Cost
\$ 126,663.68

Budget -- included within general wages	
Total Fire Dept - OT wages paid through 12.31.19	\$126,663.68
Total Fire Dept - OT wages paid through 12.31.18	\$54,212.93
Total Fire Dept - OT wages paid through 12.31.17	\$54,311.11
Total Fire Dept - OT wages paid through 12.31.16	\$103,222.05
Total Fire Dept - OT wages paid through 12.31.15	\$129,824.98

Overtime Report for Police & Fire Departments

2020 Year to date through:

20-Sep-20

2020						2019			
Empl #	Employee Name	Total OT Hours Paid	Total Cost of OT Paid	Total OT Hrs to Comp	Time off Hours	Total OT Hours Paid	Total OT Hrs to Comp	ANNUAL Total of OT hours worked	ANNUAL Total OT to Pay
Police Dept									
90	Ball, Brian	2.00	128.73	31.75	47.63	0.00	77.63	77.63	0.00
93	Bartelt, Adam	2.25	102.06	69.75	104.63	22.25	222.38	244.63	1,009.26
92	Bloch, Ryan	229.00	13,252.23	10.50	15.75	228.25	90.38	318.63	13,208.83
115	Case, Robert	0.00	0.00	9.00	13.50	0.00	84.00	84.00	0.00
122	Duckert	54.00	2,356.29	70.25	105.38	22.75	72.00	94.75	0.00
118	Farnsworth, Cody	13.00	589.68	54.00	81.00	21.50	162.00	183.50	975.24
153	Jones, Matthew	19.00	961.02	80.25	120.38	65.00	74.25	139.25	3,287.70
101	Jones, Shawn	0.00	0.00	59.75	89.63	49.25	51.75	101.00	3,169.98
88	Laux, Kevin	39.00	2,256.93	76.25	114.38	54.25	91.38	145.63	3,139.45
126	Majkowski	21.25	927.24	60.25	90.38	18.25	56.63	74.88	879.01
142	Marten, Shawn	0.00	0.00	126.00	189.00	0.00	3.00	3.00	0.00
102	Mikulec, Daniel	0.00	0.00	0.00	0.00	54.25	93.38	147.63	3,139.45
119	Onela, Michael	0.00	0.00	69.50	104.25	37.75	168.38	206.13	1,712.34
138	Olson, Toni	65.25	3,869.98	26.75	40.13	132.25	73.13	205.38	7,843.75
137	Pesch, Justin	168.00	8,497.44	49.25	73.88	131.25	76.50	207.75	6,638.63
133	Pierce, Catherine	0.00	0.00	64.00	96.00	0.00	196.13	196.13	0.00
96	Pierzchalski, David	0.00	0.00	169.00	253.50	93.25	204.38	297.63	5,396.38
106	Radtke, Oliver	39.00	1,813.50	87.50	131.25	0.00	0.00	0.00	0.00
98	Rechlicz, Justin	95.00	5,497.65	24.25	36.38	141.25	92.25	233.50	8,174.14
84	Schmittinger, Jayna	13.25	578.16	38.25	57.38	0.00	0.00	0.00	0.00
121	Schubert, Matthew	0.00	0.00	49.00	73.50	0.00	0.00	0.00	0.00
89	Schulz, Zachary	8.25	397.36	69.75	104.63	45.50	122.63	168.13	2,191.51
97	Spreiter, Jared	41.50	1,998.85	84.00	126.00	166.50	167.63	334.13	8,019.47
99	von Bereghy, Darren	102.75	5,946.14	104.75	157.13	250.00	169.50	419.50	14,467.50
95	Whealon, Shaun	50.75	2,302.02	42.75	64.13	116.25	122.25	238.50	5,273.10
Total Police		51,475.29						*	88,525.72
Annual Budget		90,000.00							90,000.00

State Aid Reimbursement 0.00 09/28/2020

Total year end actual = \$1: \$ 105,585.50
 * (difference from report due to personnel changes)
 2018 State Aid Reimb \$0.00
 2018 'Hunting/Concealed Carry Permit 0.00

Note: Overtime hours to comp are reflected in regular wages

Fire Dept - Full Time

*	593 Smith, Steve			6.75	226.60			29.75	998.71
Fire Dept Regular Part-time									
				Overtime Hrs	True OT cost			OT Hours	True OT Cost
**	515 Diamantopoulos			366.50	9,766.23			474.50	11,057.96
**	517 Dymond			166.50	5,405.70			474.50	11,057.96
**	518 Lazovik			232.25	6,411.88			229.00	5,396.53
**	521 Rigden			216.50	5,353.82			86.50	1,442.43
**	563 Rossman			306.75	10,860.59			306.00	9,469.94
**	617 Hass, Thomas				0.00			47.50	1,019.96
**	625 Goetz, Steve			168.00	4,837.04			67.00	713.36
**	653 Asmondy				0.00			60.00	1,059.35
**	672 Krieg, Caitlyn			307.00	9,860.54			779.50	19,718.95
**	694 Mayer, Andrea			84.00	2,341.09			237.75	6,075.71
**	698 Wolf			469.25	12,594.68			334.50	7,620.55
					67,431.57				
									74,632.70

Effective July 24, 2013 - POC's over 53 hours/week

		Hrs over 53	2020	2019 Hours	2019 Cost
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***	506 Thiel, Brent		160.56	16.25	384.73
***	517 Dymond, Daryn		0.00	96.75	2,630.65
***	525 Schuster, Andrew		1,524.48	1.00	25.49
	527 Daemmrigh, Craig		305.88		
	528 Weisflog, Susan		367.11		
	549 Niggemeier, C		44.38		
***	639 Rammel, Brian		0.00	26.75	785.06
***	658 Silvis, Peter		8,963.84	18.00	452.79
***	674 Creegan, James		744.52	17.75	444.78
***	682 Beffel, Elizabeth		156.69		
	683 Martinich, Michael		325.00		
***	690 Holms, Mitchell		892.41	11.50	287.39
***	697 Holms, Spencer		197.51	30.25	824.80
total POC overtime		0.00	15,176.34	270.75	7,160.90
* Full time, hours are over and above the 20 normal overtime hours reflected in their base wages					
** Part time hours worked over and above 53 normal hours in one week, which are paid at 1.5 times					

True OT Cost thru:

20-Sep-20 86,828.28
0.00

Last year's true OT Cost

\$ 126,663.68

Budget -- included within general wages

Total Fire Dept - OT wages paid through 12.31.19 \$126,663.68
 Total Fire Dept - OT wages paid through 12.31.18 \$54,212.93
 Total Fire Dept - OT wages paid through 12.31.17 \$54,311.11
 Total Fire Dept - OT wages paid through 12.31.16 \$103,222.05
 Total Fire Dept - OT wages paid through 12.31.15 \$129,824.98

**BUSINESS OF THE PUBLIC SAFETY COMMITTEE
GERMANTOWN, WI**

MEETING DATE: October 5th, 2020

AGENDA ITEM: Reports

ITEM TITLE: Policy Updates

SUBMITTED BY: Chief Mike Snow

SUMMARY EXPLANATION:

Attached are the first chapter of the updated policy manual. All current policies will be in place until the entire manual has been updated. It is anticipated the update will be completed in February of 2021.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER_____

RECOMMENDATION:

BOARD ACTION:

Germantown Police Department

Policy Manual

CHIEF'S PREFACE

In service to the Village of Germantown and the State of Wisconsin it is anticipated we will be judged by the conduct of our officers and the decisions they make through the course of their duties. We welcome the input of an engaged public and will make all efforts to ensure they have unmitigated access to the reports, media and any correspondence that illuminates the conduct of our personnel and the manner in which they provide the services expected by this community.

It is understood that employees of the Germantown Police Department will be subject to heightened expectations regarding their conduct and character. In support of these expectations and understanding that we cannot anticipate personnel to meet the heightened level of expectations, attached to this profession, without clearly outlining appropriate conduct, appearance and performance of critical tasks, the following policies and procedures are provided as a means to educate, inform and guide department personnel in aspects of assigned duties.

The policies set forth will establish the culture of the department and will reflect a commitment to the professional conduct of its members. They will establish a rigid standard of accountability but will not ignore the fact that members will make split second decisions in a rapidly changing, unpredictable environment. Although we anticipate unforeseeable events that are not specifically addressed in these pages, we are confident that in all matters our officers will conduct themselves with the integrity, respect and tolerance demanded of this profession. In situations not covered by these policies, we trust our commitment to hiring the most qualified candidates possible and to the continued emphasis on training, will be reflected in the discretion exhibited by our officers.

We recognize the ever-changing demographics of a community and the demand for the fair and equitable treatment of all citizens. We understand our full potential as a service provider is best achieved with the input and assistance of the public we serve. That level of engagement can only be achieved when the support and trust of the community is earned through a demonstrated commitment to transparency, cooperation, and accountability. The practices and goals of this department will be routinely evaluated to ensure the safety and wellbeing of its members and to promote a shared commitment to public safety with the community we serve.

Michael S. Snow

Chief of Police

Law Enforcement Authority

100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of the members of the Germantown Police Department to perform their functions based on established legal authority.

100.2 POLICY

It is the policy of the Germantown Police Department to limit its members to only exercise the authority granted to them by law.

While this department recognizes the power of peace officers to make arrests and take other enforcement action, officers are encouraged to use sound discretion in the enforcement of the law. This department does not tolerate abuse of law enforcement authority.

100.3 PEACE OFFICER POWERS

Officers possess the powers to preserve the peace as necessary, make arrests and enforce all local and state laws (Wis. Stat. § 59.28(1); Wis. Stat. § 62.09(13)(a)).

100.3.1 ARREST AUTHORITY WITHIN THE JURISDICTION OF THE GERMANTOWN POLICE DEPARTMENT

The arrest authority within the jurisdiction of the Germantown Police Department includes (Wis. Stat. § 968.07):

- (a) When the officer has or reasonably believes that an arrest warrant has been issued in the State of Wisconsin, or a felony arrest warrant has been issued in another state.
- (b) When the officer has probable cause to believe any crime is being, or has been, committed.

100.3.2 ARREST AUTHORITY OUTSIDE THE JURISDICTION

An officer outside the territorial jurisdiction of this department may arrest a person if the following conditions are met (Wis. Stat. § 175.40(6)):

- (a) The officer is on duty and on official business.
- (b) The officer is taking action that would be authorized under the same circumstances within the territorial jurisdiction of this department.
- (c) The officer is responding to an emergency situation that poses a significant threat to life or of bodily harm or acts that the officer reasonably believes constitute a felony.

An officer may also enforce any law or ordinance that he/she is otherwise authorized to enforce by arrest or issuance of a citation anywhere in the state when in fresh pursuit or on the entire width of any highway that is a boundary of Germantown and an adjacent jurisdiction except when the jurisdiction is outside the boundaries of the state of Wisconsin (Wis. Stat. § 175.40(2); Wis. Stat. § 175.40(4)).

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While engaged in enforcement action outside the jurisdiction of the Germantown Police Department, an officer should notify the local law enforcement agency of the county or municipality where the violation occurs, cooperate with that agency as necessary, and notify his/her immediate on-duty supervisor as soon as reasonably practicable (Wis. Stat. § 175.40(6)(d)).

100.3.3 OFF-DUTY PEACE OFFICER ARREST AUTHORITY

An off-duty officer may arrest a person outside the territorial jurisdiction of this department, but still in the state, if all of the following apply (Wis. Stat. § 175.40(6m)(a)):

- (a) The officer is responding to an emergency situation that poses a significant threat to life or of bodily harm.
- (b) The officer is taking action that would be authorized under the same circumstances within the territorial jurisdiction of this department.
- (c) The off-duty officer notifies the on-duty supervisor as soon as reasonably practicable, notifies the local law enforcement agency of the county or municipality where the arrest occurred and cooperates with that agency as necessary (Wis. Stat. § 175.40(6m)(a)).

100.4 INTRASTATE PEACE OFFICER ASSISTANCE

This department may request the assistance of law enforcement personnel or may assist other law enforcement agencies as warranted or authorized (Wis. Stat. § 59.28(2); Wis. Stat. § 66.0313(2)).

During any state of emergency declared by the governor or during any training program or exercises authorized by the adjutant general, an officer, when legally engaged in traffic control, escort duty or protective service, may carry out the functions anywhere in the state but shall be subject to the direction of the adjutant general through the sheriff of the county in which an assigned function is performed (Wis. Stat. § 323.16).

100.4.1 INTRASTATE PEACE OFFICER TRIBAL ASSISTANCE

This department may not respond to a request for assistance from a tribal law enforcement agency at a location outside this jurisdiction unless one of the following applies (Wis. Stat. § 66.0313(4)):

- (a) The governing body of the tribe that created the tribal law enforcement agency adopts and has in effect a resolution that includes a statement that the tribe waives its sovereign immunity to the extent necessary to allow the enforcement in the courts of the state of Wisconsin of its liability under Wis. Stat. § 66.0313 or another resolution that the Wisconsin Department of Justice determines will reasonably allow the enforcement in the courts of the state of Wisconsin.
- (b) The tribal law enforcement agency or the tribe that created the tribal law enforcement agency maintains liability insurance that does all of the following:
 - 1. Covers the tribal law enforcement agency for its liability under law
 - 2. Has a limit of coverage not less than \$2,000,000 for any occurrence

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Law Enforcement Authority

3. Provides that the insurer, in defending a claim against the policy, may not raise the defense of sovereign immunity of the insured up to the limits of the policy
- (c) This department and the tribal law enforcement agency have in place an agreement under which this department accepts liability for instances in which it responds to a request for assistance from the tribal law enforcement agency.

Additionally, the tribal law enforcement agency requesting assistance must provide to the Wisconsin Department of Justice a copy of the resolution, proof of insurance or a copy of the required agreement. The Wisconsin Department of Justice must post either a copy of the document or notice of the document on the Internet site it maintains for exchanging information with law enforcement agencies.

100.5 INTERSTATE PEACE OFFICER POWERS

Peace officer powers may be extended within other adjoining states:

- (a) As applicable under interstate compacts, memorandums of understanding or mutual aid agreements in compliance with the laws of each state (Wis. Stat. § 175.46).
- (b) When an officer enters Minnesota, Iowa or Michigan in fresh pursuit of a person who is in the immediate and continuous flight from the commission of a felony, and in the case of Illinois any criminal offense (Minn. Stat. § 626.65; Iowa Code § 806.1; MCL 780.101; 725 ILCS 5/107-4).

Whenever an officer makes an arrest in another state, the officer shall take the offender to a magistrate or judge in the county where the arrest occurred as soon as practicable (Minn. Stat. § 626.66; Iowa Code § 806.2; MCL 780.102; 725 ILCS 5/107-4).

100.6 INDIAN COUNTRY

Peace officer powers extend to Indian country pursuant to 18 USC § 1162, except:

- (a) On the Menominee Reservation (41 Fed.Reg. 8516 (1976)).
- (b) In matters of the Indian Child Welfare Act that involve the following:
 - (a) Forest County Potawatomi (62 Fed.Reg. 1471 (1997))
 - (b) Red Cliff Band (61 Fed.Reg. 1778 (1996))
- (c) In Indian child custody matters involving the Lac Courte Oreilles Tribe (46 Fed.Reg. 15579 (1981)).

Otherwise, an officer of the Germantown Police Department has concurrent jurisdiction over a crime committed in Indian country.

100.7 CONSTITUTIONAL REQUIREMENTS

All members shall observe and comply with every person's clearly established rights under the United States and Wisconsin Constitutions.

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Law Enforcement Authority

100.8 JURISDICTIONAL BOUNDARIES

The Operations Captain or the authorized designee should be responsible for developing and maintaining jurisdictional boundary maps, ensuring that the maps are provided to all new members and that the maps are readily available to all members in patrol briefing areas and Dispatch.

Chief Executive Officer

101.1 PURPOSE AND SCOPE

All law enforcement Chief Executive Officers employed within the State of Wisconsin are required to meet specific requirements for appointment. This policy provides guidelines for the appointment of the Chief Executive Officer of the Department, who is required to exercise the powers and duties of the office as prescribed by state law.

101.2 CHIEF EXECUTIVE OFFICER REQUIREMENTS

The Chief Executive Officer of this department, as a condition of appointment, must be a citizen of the United States (Wis. Stat. § 66.0501(1)).

The Chief Executive Officer shall meet required prerequisites and complete any course of training prescribed by the Wisconsin Law Enforcement Standards Board (LESB) (Wis. Admin. Code § LES 2.01(1)).

101.2.1 OATH OF OFFICE

The Chief Executive Officer shall take and file the official oath of office within 20 days after notice of election or appointment (Wis. Stat. § 59.21(1)).

101.2.2 AUTHORITY

The Chief Executive Officer shall have command of the law enforcement force of the Village (Wis. Stat. § 59.26).

The Chief Executive Officer shall have charge of all Village jails, including that portion of any jail that is used by the Village in a joint government building (Wis. Stat. § 59.28; Wis. Stat. § 59.27(1)).

101.3 TRAINING

Each newly elected or appointed Chief Executive Officer should attend executive development training courses within two years of appointment. Such training may include programs provided by the Wisconsin Department of Justice Training and Standards Bureau, the Wisconsin Certified Public Manager Program, the Wisconsin Chiefs of Police Association, the FBI National Academy and the International Association of Chiefs of Police.

101.4 GOALS AND OBJECTIVES

The Chief of Police or the authorized designee is responsible for establishing goals and objectives for the Germantown Police Department and shall ensure they are reviewed and updated annually and available as an appendix to this policy manual. The plan should specify a time period and, at a minimum, include:

- Long term goals and operational objectives
- Anticipated workload and staffing needs
- Capital improvement, equipment and supply needs

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Chief Executive Officer

- Provisions for implementation, progress assessment and revision as needed

Division Commanders shall ensure that goals and objectives for their assigned divisions are established, assessed for progress, reviewed and updated annually, and distributed to all members

Oath of Office

102.1 PURPOSE AND SCOPE

Officers are sworn to uphold the U.S. and Wisconsin Constitutions and to enforce federal, state and local laws.

102.2 POLICY

It is the policy of the Germantown Police Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

102.3 OATH OF OFFICE

Upon employment, all employees of this department shall be required to affirm the oath of office expressing commitment and intent to respect constitutional rights in discharging their duties (Wis. Const. Article IV, § 28).

Before any department employee begins his/her duties the employee shall subscribe and swear to the following written oath or affirmation in addition to any other form of oath or affirmation required (Wis. Stat. § 19.01(1)):

State of Wisconsin,

County of _____,

I, the undersigned, who have been elected (or appointed) to the Germantown Police Department, but have not yet entered upon the duties thereof, swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Wisconsin, and will faithfully discharge the duties of said office to the best of my ability, so help me God.

Subscribed and sworn to before me this _____ day of _____, _____ (Year)

_____ (Signature)

If the oath of office is administered orally in addition to the required written oath it shall be in substantially the following form (Wis. Stat. § 19.01(1m)):

I, _____, swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Wisconsin, and will faithfully and impartially discharge the duties of the office of the Germantown Police Department to the best of my ability. So help me God.

If a member is opposed to the words "so help me God" the words may be omitted.

102.3.1 LAW ENFORCEMENT OATH OF HONOR

The Germantown Police Department adheres to the public affirmation of the Law Enforcement Oath of Honor, which serves to enhance integrity and demonstrate the department's commitment to the highest of ethical standards. The Oath of Honor shall be displayed throughout

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Oath of Office

the Department. Frequent recitation by members of the Germantown Police Department is encouraged.

Members are encouraged to take the following Law Enforcement Oath of Honor and sign a certificate to demonstrate their commitment:

On my honor,

I will never betray my badge/profession, my integrity, my character, or the public trust.

I will always have the courage to hold myself and others accountable for our actions.

I will always uphold the constitution, my community, and the agency I serve.

102.4 MAINTENANCE OF RECORDS

The oath of office shall be filed as prescribed by law or policy (Wis. Stat. § 19.01(4)).

Policy Manual

103.1 PURPOSE AND SCOPE

The manual of the Germantown Police Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, rules and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, procedures, orders and other regulations that have not been included herein shall remain in effect, provided that they do not conflict with the provisions of this manual.

103.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and circumstances may arise which warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

103.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Germantown Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the Village, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for department administrative action, training or discipline. The Germantown Police Department reserves the right to revise any policy content, in whole or in part.

103.2.2 COLLECTIVE BARGAINING AGREEMENTS

Nothing in this manual should be construed to conflict with the provisions of any collective bargaining agreement with any recognized bargaining unit.

The Chief of Police should make available for supervisors copies of current collective bargaining agreements for all recognized collective bargaining units.

103.3 AUTHORITY

The Chief of Police shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Chief of Police or the authorized designee is authorized to issue Departmental Directives, which shall modify those provisions of the manual to which they pertain. Departmental Directives shall remain in effect until such time as they may be permanently incorporated into the manual.

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103.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

Adult - Any person 18 years of age or older except that for purposes of investigating or prosecuting a person who is alleged to have violated any state or federal criminal law or any civil law or municipal ordinance, "adult" means a person who has attained 17 years of age (Wis. Stat. § 938.02(1)).

Child/Juvenile - Any person, without further qualification, who is less than 18 years of age. Any person who has attained 17 years of age, and for purposes of investigating or prosecuting, is alleged to have violated state or federal criminal law or any civil law or municipal ordinance is not a juvenile (Wis. Stat. § 938.02(10m)).

Village - The Village of Germantown.

CFR - Code of Federal Regulations.

Non-sworn - Employees and volunteers who are not sworn peace officers.

Department/GPD - The Germantown Police Department.

Employee/personnel - Any person employed by the Department.

LESB - The Wisconsin Law Enforcement Standards Board.

Manual - The Germantown Police Department Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person employed or appointed by the Germantown Police Department, including:

- Full-time or part-time employees
- Sworn peace officers
- Reserve, auxiliary officers
- Non-sworn employees
- Volunteers

Officer - Those employees, regardless of rank, who are sworn peace officers of the Germantown Police Department.

On-duty - A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

Peace officer - Any person employed by the state or any political subdivision of the state, for the purpose of detecting and preventing crime and enforcing laws or ordinances and who is authorized to make arrests for violations of the laws or ordinances that the person is employed to enforce. The term includes sworn full-time and part-time officers who perform the duties of a peace officer.

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Rank - The title of the classification held by an officer.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

TIME - The Wisconsin Transaction Information for the Management of Enforcement system.

USC - United States Code.

WisDOC - The Wisconsin Department of Corrections.

WisDOJ - The Wisconsin Department of Justice.

WisDOJ TSB - The Wisconsin Department of Justice Training and Standards Bureau.

WisDOT - The Wisconsin Department of Transportation.

WILENET - The Wisconsin Law Enforcement Network.

103.5 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee.

Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review the Policy Manual and Departmental Directives. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

103.6 PERIODIC REVIEW OF THE POLICY MANUAL

The Chief of Police will ensure that the Policy Manual is reviewed, at a minimum, every three years, and updated as necessary.

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103.7 REVISIONS TO POLICIES

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

Each Captain will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Captains, who will consider the recommendations and forward them to the command staff as appropriate.

Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

The organizational structure of the Department is designed to create an efficient means to accomplish the mission and goals and to provide for the best possible service to the public.

200.2 POLICY

The Germantown Police Department will implement and maintain an organizational structure that provides clear and identifiable roles for command, control and guidance of the Department. Each position and assignment should have clearly identified responsibilities and a defined chain of command.

200.3 DIVISIONS

The Chief of Police is responsible for administering and managing the Germantown Police Department. There are two divisions in the Police Department:

- Administration Division
- Operations Division

200.3.1 ADMINISTRATION DIVISION

The Administration Division is commanded by the assigned Captain, whose primary responsibility is to provide general management direction and control for the Administration Division, including management of the department budget, department owned property and the designation of the custodian of records. The Administration Division consists of Technical Services and Administrative Services.

Annually, the Administration Division Captain shall develop and submit portions of the budget to the Chief of Police and an inventory of capital property, equipment and assets. Property, equipment and assets with a beginning value of more than \$5,000, and other items specifically identified for inclusion regardless of value, are capital property, equipment and assets.

200.3.2 OPERATIONS DIVISION

The Operations Division is commanded by the assigned Captain, whose primary responsibility is to provide general management direction and control for the Operations Division. The Operations Division consists of Uniformed Patrol and Special Operations, which includes Detective Bureau, Community Policing Officer, School Resource Officers, Explorer Post and Citizens on Patrol group.

200.4 COMMAND PROTOCOL

200.4.1 SUCCESSION OF COMMAND

The Chief of Police exercises command over all personnel in the Department. During planned absences the Chief of Police will designate a Captain to serve as the acting Chief of Police.

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Organizational Structure and Responsibility

Except when designated as above, the order of command authority in the absence or unavailability of the Chief of Police is as follows:

- (a) Captain
- (b) Patrol Lieutenant
- (c) Detective Sergeant
- (d) Most Senior Patrolman

200.4.2 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the Department. Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or special assignment (e.g., Canine, SWAT), any supervisor may temporarily direct any subordinate if an operational necessity exists.

200.4.3 ORDERS

Members shall respond to and make a good faith and reasonable effort to comply with lawful orders of superior officers and other proper authority.

200.4.4 UNLAWFUL AND CONFLICTING ORDERS

No member is required to obey any order that outwardly appears to be in direct conflict with any federal law, state law or local ordinance. Following an unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or confer with a higher authority. Responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive, shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict are not held accountable for disobedience of the lawful order or directive that was initially issued.

The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

200.5 AUTHORITY AND RESPONSIBILITY

Each member will be assigned duties and responsibilities and is delegated the authority necessary to effectively execute those responsibilities. Each member will also be held accountable for the appropriate application of that delegated authority.

Department Directives

201.1 PURPOSE AND SCOPE

Departmental Directives establish interdepartmental communication that may be used by the Chief of Police to make immediate changes to policy and procedure, in accordance with the current collective bargaining agreement or other employment agreement. Departmental Directives will immediately modify or change and supersede sections of this manual to which they pertain.

201.1.1 DEPARTMENTAL DIRECTIVE PROTOCOL

Departmental Directives will be incorporated into the manual, as required, upon staff approval. Departmental Directives will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

All existing Departmental Directives have now been incorporated in the updated Policy Manual as of the revision date shown.

Any Departmental Directives issued after publication of the manual shall be numbered consecutively starting with the last two digits of the year, followed by the number "01." For example, 12-01 signifies the first Departmental Directive for the year 2012.

Temporary Departmental Directives that become inoperative with the passing of the incident or period for which they are written, and are not intended for nor will be included in the manual, should be tracked and acknowledged similar to policy revisions.

201.2 RESPONSIBILITIES

201.2.1 STAFF

The staff shall review and approve revisions of the Policy Manual, which will incorporate changes originally made by a Departmental Directive.

201.2.2 CHIEF OF POLICE

The Chief of Police or the authorized designee shall issue all Departmental Directives.

201.3 ACCEPTANCE OF DEPARTMENTAL DIRECTIVE

All employees are required to read and obtain necessary clarification of all Departmental Directives. All employees are required to acknowledge in writing the receipt and review of any new Departmental Directive. Signed acknowledgement forms and/or e-mail receipts showing an employee's acknowledgement will be maintained by the Captain.

Emergency Operations Plan

202.1 PURPOSE AND SCOPE

The Village has prepared, in compliance with State of Wisconsin requirements, an Emergency Operations Plan. The plan will guide all employees in the event of a major disaster, civil disturbance, mass arrest or other emergency event. It provides for a strategic response by all employees and assigns specific responsibilities in the event the plan is activated (Wis. Stat. § 323.14).

Support to law enforcement is provided by the Wisconsin Emergency Police Services (EPS) Program. The EPS Manual is the foundation for proper coordination of state and local law enforcement activities to ensure the protection of life and property during all emergency situations by providing for a comprehensive program of emergency procedures, leadership, staffing, equipment and the mobilization of resources (Wis. Stat. Chapter 323).

202.2 POLICY

The Germantown Police Department will prepare for large-scale emergencies, including but not limited to civil disturbances, mass arrests and acts of terrorism, within and outside its jurisdiction through planning and mutual cooperation with other agencies.

202.3 DEPARTMENT RESOURCES

The Department shall use its resources first in an emergency or disaster. The Germantown Police Department may call for assistance from other jurisdictions or the State of Wisconsin during events that overwhelm or threaten to overwhelm department response and recovery resources.

202.3.1 SEARCH AND RESCUE

The Germantown Police Department Search and Rescue (SAR) which as a member of the Washington County Emergency Response Team operates in compliance with all applicable regional and statewide agreements during all activities associated with locating, rescuing and recovering lost, stranded, injured or otherwise incapacitated individuals. SAR operations shall be consistent with the requirements of the National Incident Management System (NIMS). Local SAR guidelines shall, at a minimum, address:

- The nature and scope of permitted search and rescue operations.
- The availability of all necessary equipment and resources.
- Required training and certification for members conducting search and rescue operations.

202.4 ACTIVATING THE EMERGENCY OPERATIONS PLAN

The Emergency Operations Plan can be activated on the order of the official designated by local ordinance.

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Emergency Operations Plan

Upon activation of the plan, the Chief of Police or the authorized designee should contact the State EPS Deputy Director to assist with mutual aid response from local, state and federal law enforcement agencies to provide requested resources to this department.

202.4.1 RECALL OF PERSONNEL

In the event that the Emergency Operations Plan is activated, all employees of Germantown Police Department are subject to immediate recall. Members may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the authorized designee.

Failure to promptly respond to an order to report for duty may result in discipline.

202.5 LOCATION OF THE PLAN

The Emergency Operations Plan is available in Administration and the Patrol Lieutenant's office. The Administration supervisor should ensure that department personnel are familiar with the roles police personnel will play when the plan is implemented.

The State Emergency Management Plan and additional regional information can be found on the Wisconsin Department of Military Affairs, Division of Emergency Management website at <http://emergencymanagement.wi.gov/default.asp>.

202.6 UPDATING THE PLAN

The Chief of Police or the authorized designee shall review and update, if necessary, the Emergency Operations Plan at least once every two years to ensure it conforms to any revisions made by the National Incident Management System (NIMS) and the Standardized Emergency Management System (SEMS), and that any needed revisions are appropriately addressed.

202.7 PLAN REVIEW

At least once every two years, the Department should conduct a review of the Village Emergency Operations Plan to ensure the plan conforms to any revisions made by the National Incident Management System (NIMS), state, area and county plans.

Training

203.1 PURPOSE AND SCOPE

It is the policy of this department to administer a training program that will meet the standards of federal, state, local and Wisconsin Law Enforcement Standards Board (LESB) training requirements. It is a priority of this department to provide continuing education and training for the professional growth and progressive development of its personnel. By doing so, the Department will ensure its personnel possess the knowledge and skills necessary to provide a professional level of service that meets the needs of the public.

203.2 PHILOSOPHY

The Department seeks to provide ongoing training and encourages all personnel to participate in advanced training and formal education on a continual basis. Training is provided within the confines of funding, requirements of a given assignment, staffing levels and legal mandates. Whenever reasonably possible, the Department will use courses certified by the LESB or other regulatory or nationally recognized entities.

203.3 OBJECTIVES

The objectives of the training program are to:

- (a) Enhance the level of law enforcement service to the public.
- (b) Increase the technical expertise and overall effectiveness of department personnel.
- (c) Provide for continued professional development of department personnel.
- (d) Assist in compliance with statutes, LESB rules and regulations or policy concerning law enforcement training.

203.4 TRAINING PLAN

It is the responsibility of the Lieutenant that oversees Department training to develop, review, update and maintain a training plan and to ensure that mandated basic, in-service and department-required training is completed by all employees. The plan shall include a systematic and detailed method for recording and logging of all training for all personnel. While updates and revisions may be made to any portion of the training plan at any time it is deemed necessary, the Lieutenant shall review the entire training plan on an annual basis. The plan will include information on curriculum, training material, training facilities, course and student scheduling. The plan will address the state-required, minimum-mandated training of sworn officers or hiring of non-sworn employees.

Training listed may be provided in basic training programs. The Lieutenant is responsible for ensuring members of the Department have been trained as required. For purposes of LESB reporting obligations, the time period for annual training begins July 1 and ends June 30.

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Training

203.4.1 MANDATED TRAINING

All sworn members shall satisfactorily complete the Wisconsin law enforcement officer preparatory training or equivalent prior to any assignment in which he/she is allowed to carry a weapon or is in a position to take enforcement action.

Officers shall complete all training required to maintain their certification as a law enforcement officer, to include the 24 hours of training required each fiscal year (Wis. Stat. § 165.85). Members shall also complete National Incident Management System (NIMS) training as appropriate for their position and rank.

203.4.2 DEPARTMENT TRAINING REQUIREMENTS

Training requirements include, but are not limited to the following:

- (a) Emergency Operations Plan (supervisors and other appropriate personnel yearly), includes:
 - 1. Familiarization with the Emergency Operations Plan and the roles police personnel will play when the plan is activated.
 - 2. A full or partial exercise, tabletop or command staff discussion.
- (b) CPR/First-aid refresher (every two years)
- (c) Firearms training (four times a year)
- (d) Defense and arrest tactics (DAAT) (all sworn employees yearly)
- (e) Lateral vascular neck restraint (all sworn employees yearly) (all sworn employees yearly)
- (f) CEW, or other control devices (yearly)
- (g) Prior to the carry of a firearm sworn officers shall receive copies and demonstrate understanding of all use of force policies
- (h) All use of force policies (all sworn employees review yearly)
- (i) Search, seizure and arrest (all sworn employees yearly)
- (j) Use of body armor (all sworn employees every two years)
- (k) Ethics (all sworn employees every three years)
- (l) Emergency vehicle operations and pursuit driving (every two years)

203.4.3 SPECIALIZED TRAINING

The Lieutenant that oversees Department Training is responsible for maintaining a list of assignments that require specialized training and a description of the applicable training. In addition, the Lieutenant shall ensure that the following training requirements are provided as needed:

- (a) Skill development training upon promotion or assignment to a specialized position.
- (b) Training for newly appointed non-sworn members to include:
 - (a) The department's role, purpose, goals, policies and procedures.

Training

- (b) Working conditions and regulations.
- (c) Responsibilities and rights of employees.
- (c) Remedial training requirements to include:
 - 1. Situations under which remedial training shall be utilized
 - 2. Timeline for completion
 - 3. Consequences for failure to successfully complete

203.5 TRAINING NEEDS ASSESSMENT

The Training Unit will conduct an annual training needs assessment and complete a report of the training needs, including recommendations from the Training Committee. The training needs assessment report will be provided to the Chief of Police and staff. Upon review and approval by the Chief of Police, the needs assessment will form the basis for the training plan for the following fiscal year.

203.6 TRAINING COMMITTEE

The Lieutenant that oversees Department training shall establish a Training Committee, which will serve to assist with identifying training needs for the Department.

The Training Committee shall be comprised of at least three members, with the senior ranking member of the committee acting as the chairperson. Members should be selected based on their abilities at post-incident evaluation and at assessing related training needs. The Lieutenant may remove or replace members of the committee at his/her discretion.

The Training Committee should review certain incidents to determine whether training would likely improve future outcomes or reduce or prevent the recurrence of the undesirable issues related to the incident. Specific incidents the Training Committee should review include, but are not limited to:

- (a) Any incident involving the death or serious injury of an employee.
- (b) Incidents involving a high risk of death, serious injury or civil liability.
- (c) Incidents identified by a supervisor as appropriate to review to identify possible training needs.

The Training Committee should convene on a regular basis as determined by the Chief of Police or the authorized designee to review the identified incidents. The committee shall determine by consensus whether a training need exists and then submit written recommendations of its findings to the Lieutenant. The recommendation should not identify specific facts of any incidents, such as identities of employees involved or the date, time and location of the incident, but should focus on the type of training being recommended.

The Lieutenant will consider the recommendations of the committee and determine what training should be addressed, taking into consideration the mission of the Department and available resources.

Training

203.7 TRAINING PROCEDURES

- (a) All employees assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences from mandatory training should be limited to the following:
 - 1. Court appearances
 - 2. First choice vacation
 - 3. Sick leave
 - 4. Physical limitations preventing the employee's participation
 - 5. Emergency situations
- (b) When an employee is unable to attend mandatory training, that employee shall:
 - 1. Notify his/her supervisor as soon as possible but no later than one hour prior to the start of training. The employee will also notify the instructor or training facility of his/her absence, as necessary.
 - 2. Document his/her absence in a memorandum to his/her supervisor.
 - 3. Make arrangements through the training Lieutenant to attend the required training on an alternate date.

203.8 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) are contained in a web-accessed system that provides training on the Germantown Police Department Policy Manual and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the Lieutenant.

Personnel assigned to participate in DTBs shall only use login credentials assigned to them by the Lieutenant. Personnel should not share their password with others and should frequently change their password to protect the security of the system. After each session, employees should log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

Employees who are assigned to participate in the DTB program should complete each DTB by the end of their assigned shift or as otherwise directed by their supervisor. Employees should not allow uncompleted DTBs to build up over time. Personnel may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any Internet active computer, employees shall only take DTBs as part of their on-duty assignment, unless directed otherwise by a supervisor.

Supervisors will be responsible for monitoring the progress of personnel under their command to ensure compliance with this policy.

Germantown Police Department

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Training

203.9 TRAINING RECORDS

The Lieutenant is responsible to manage and distribute training records in compliance with the Training Files section in the Personnel Files Policy.

203.10 FIELD TRAINING PROGRAM

The Lieutenant in charge of Field Training shall establish a field training program for recruit police officers that is of sufficient duration to provide for the adequate orientation and training of the new peace officer in the lawful operations of the Department. The program shall establish procedures for the selection, appointment and training of Field Training Officers (FTO) and supervisors, the daily evaluation of recruits participating in the program and the rotation of FTO personnel to provide for the objective evaluation of recruit performance.

Electronic Mail

204.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the Department. Email is a communication tool available to employees to enhance efficiency in the performance of job duties. It is to be used in accordance with generally accepted business practices and current law (e.g., Wisconsin Public Records Laws). Messages transmitted over the email system must only be those that involve official business activities or that contain information essential to employees for the accomplishment of business-related tasks and/or communications directly related to the business, administration or practices of the Department.

204.2 EMAIL RIGHT OF PRIVACY

All email messages, including any attachments, transmitted over the department computer network or accessed through a web browser accessing the department system are considered department records and therefore are the property of the Department. The Department reserves the right to access, audit and disclose for any lawful reason, any message including any attachment that is transmitted or received over its email system or that is stored on any department system.

The email system is not a confidential system since all communications transmitted on, to or from the system are the property of the Department. Therefore, the email system is not appropriate for confidential or personal communications. If a communication must be private, an alternative method to communicate the message should be used instead of email. Employees using the department email system shall have no expectation of privacy concerning communications transmitted over the system.

Employees should not use personal accounts to exchange email or other information that is related to the official business of the Department. The use of any computer, internet service, phone service or other wireless service to send or receive information that may be related to public business may be subject to review or disclosure.

204.3 PROHIBITED USE OF EMAIL

The department email system shall not be used for personal purposes unless that use is authorized in writing by the Chief of Police.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire Department are only to be used for official business-related items that are of particular interest to all users. Users are reminded that all email is subject to review and scrutiny with regard to appropriate content or violation of any prohibitions. In the event that a user has questions about sending a particular email communication, the user

Germantown Police Department

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Electronic Mail

should seek prior approval from the Chief of Police or the Captain. Personal advertisements or announcements are not permitted.

It is a violation of this policy to transmit a message under another user's name or email address or to use the password of another to log into the system. With the exception of a system administrator performing system maintenance. Users are required to log off the network or secure the workstation when the computer is unattended. This added security measure will minimize the potential misuse of an individual's email, name, and/or password by others.

204.4 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a record under the Wisconsin Public Records Law (Wis. Stat. § 19.31) and must be managed in accordance with the established records retention schedule and in compliance with state law.

The Custodian of Records shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

Administrative Communications

205.1 PURPOSE AND SCOPE

Administrative communications of this department are governed by the following policies.

205.2 DEPARTMENT E-MAIL

Department E-mail may be issued periodically by the Chief of Police or the authorized designee to announce and document all promotions, transfers, hiring of new personnel, separations, individual and group awards and commendations or other changes in status.

205.3 CORRESPONDENCE

To ensure that the letterhead and name of the Department are not misused, all official external correspondence shall be on department letterhead. All department letterhead shall bear the signature element of the Chief of Police. Department letterhead may not be used for personal purposes.

Internal correspondence should use appropriate memorandum forms. These may be from line employee to employee, supervisor to employee, or any combination of employees.

205.4 SURVEYS

All surveys made in the name of the Department shall be authorized by the Chief of Police, authorized designee, or the Captain.

205.5 OTHER COMMUNICATIONS

Departmental Directives and other communications necessary to ensure the effective operation of the Department shall be issued by the Chief of Police, authorized designee, or the Captain.

205.5.1 ADMINISTRATIVE REPORTS

The Germantown Police Department participates in an administrative reporting program. The Captain shall develop and maintain a list of all administrative reports created by the Germantown Police Department that minimally includes:

- (a) The position within the organization that is responsible for the formulation of each report.
- (b) The purpose, frequency, and distribution of each report.

Supervision Staffing Levels

206.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that proper supervision is available to meet the operational requirements of all shifts. The Department intends to balance the needs of the employee against its duty and inherent managerial right to flexibility and discretion when assigning personnel. While balance is desirable, the paramount concern is to meet the operational requirements of the Department.

206.2 MINIMUM STAFFING LEVELS

Minimum staffing levels should result in the scheduling at least one regular supervisor on-duty at all times. Patrol Lieutenants or in their absence the Captain will be the field supervisor during each shift.

Former Officer Carrying Concealed Weapons

207.1 PURPOSE AND SCOPE

The purpose of this policy is to outline the legal authority for retired and former law enforcement officers meeting certain criteria to carry concealed weapons and to provide guidelines associated with the issuance of a firearms qualification certificate to a qualified former Germantown Police Department officer (Law Enforcement Officer Safety Act Improvements Act of 2010 (LEOSA), 18 USC § 926C; Wis. Stat. § 175.48 et seq.; Wis. Stat. § 941.23).

207.1.1 DEFINITIONS

Definitions related to this policy include:

Certification card - A card complying with Wis. Stat. § 175.49 indicating:

- The card holder has met the standards for qualification established by the Law Enforcement Standards Board (LESB).
- The qualification was conducted by a certified LESB firearms instructor.
- The type of firearm the qualified former law enforcement officer is certified to carry.
- The date of the qualification and an expiration date of the certification (12 months later).
- A statement that the issued person meets the criteria of a qualified former law enforcement officer under Wis. Stat. § 175.49.
- The qualified former law enforcement officer's full name, birth date, residence address, photograph, physical description (including sex, height and eye color), and the name of our state.
- A statement that the certification card does not confer any law enforcement authority on the certification card holder and does not make the holder an employee or agent of this department.

The certification card may not contain the cardholder's social security number.

Proof of qualification - State-approved documentation evidencing a person has successfully completed a handgun qualification course as adopted by the Law Enforcement Standards Board (LESB) and conducted by a firearms instructor that is LESB-certified.

Qualified former law enforcement officer - An individual who meets the criteria of Wis. Stat. § 175.49 in that he/she:

- Separated from this department in good standing as a law enforcement officer.
- Before such separation, was authorized by law to engage in or supervise the prevention, detection, investigation, prosecution or incarceration of a person for any violation of law and had statutory powers of arrest while serving as a law enforcement officer.

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Former Officer Carrying Concealed Weapons

- Before such separation, had regular employment as a law enforcement officer for a total of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after any applicable probationary period due to a service-connected disability as determined by the Department.
- Has not been disqualified to be a law enforcement officer for reasons related to mental health.
- Has not entered into an agreement upon separation from the Department acknowledging that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.
- Is not prohibited by federal law from possessing a firearm.

207.2 POLICY

It is the policy of the Germantown Police Department to facilitate compliance with federal and state law by providing a certification card when appropriate.

207.3 CERTIFICATION CARD

If a qualified former law enforcement officer who was employed by this agency provides the appropriate proof of qualification, the Department shall provide him/her with a certification card (Wis. Stat. § 175.49).

Prior to issuance of the certificate, the Department will conduct criminal and local agency background checks, including a check for convictions, wants or warrants, and any active court order (TIME/NCIC), to determine if the applicant is prohibited by state or federal law to possess or carry firearms, and will ensure that all other federal and state statutory requirements, including those related to firearms qualification, are met.

207.3.1 FEES

The Department may charge a fee to verify eligibility for a certification card or for the renewal of a certification card. The fee will not exceed the costs the department incurs in verifying eligibility or for issuing or renewing a certification card (Wis. Stat. § 175.49).

207.3.2 CARD REVOCATION

If the Department becomes aware that a person who was issued a certification card no longer meets all of the requirements for the card, the Department will send a letter to the cardholder indicating that he/she is no longer authorized to possess the card, and may not be authorized under authority of state law to carry a concealed weapon as a former law enforcement officer. The Department will also request that the card be returned to the agency within a specified period of time. If the card is not returned, the Department should consult with its attorney to determine what further action, if any, should be taken.

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Former Officer Carrying Concealed Weapons

207.4 AUTHORITY TO CARRY CONCEALED FIREARM

Qualified former law enforcement officers who meet the applicable requirements and who carry a current certification card may be authorized to carry a concealed firearm in Wisconsin and other states (18 USC § 926C; Wis. Stat. § 941.23).

However, it is the sole responsibility of qualified former law enforcement officers who have been issued an identification card or certification card to be familiar with and follow all related local, state and federal firearm laws, including:

- (a) The Law Enforcement Officers Safety Act Improvements Act of 2010 (18 USC § 926C)
- (b) State of Wisconsin concealed weapon laws (Wis. Stat. § 175.48; Wis. Stat. § 175.49; Wis. Stat. § 941.23)
- (c) Self-defense and defense of others (Wis. Stat. § 939.48)
- (d) Defense of property and protection against retail theft (Wis. Stat. § 939.49)
- (e) Endangering the safety of others by use of a firearm (Wis. Stat. § 941.20)
- (f) Carrying a firearm in a public building (Wis. Stat. § 941.235)
- (g) Carrying a firearm where alcohol beverages are sold and consumed (Wis. Stat. § 941.237; Wis. Stat. § 941.23; 18 USC § 926C).

In determining whether a former law enforcement officer is legally carrying a concealed firearm, officers should determine whether the person may be authorized under either federal law or state law, or both, to carry the concealed weapon.

207.5 PROHIBITION

No former law enforcement officer may be certified to carry a machine gun, a firearm silencer or a destructive device as defined in 18 USC § 926C and related statutes.

207.6 IDENTIFICATION CARDS

The Department will not require an officer to relinquish his/her photographic identification card when the officer separates from service with the Wisconsin law enforcement agency unless at least one of the criteria outlined in Wis. Stat. § 175.48(2) applies.

ORDINANCE NO. 14-2020

AN ORDINANCE AMENDING SECTION 7.02 OF THE MUNICIPAL CODE OF
GERMANTOWN RELATING THE VILLAGE'S OFFICAL TRAFFIC MAP
AND TRAFFIC CONTROL DEVICES

WHEREAS, the Village Board having previously adopted § 7.02 of the Municipal Code of Germantown relating to the Official Traffic Map for the Village and other regulations related to signs, signals and markers along roadways; and

WHEREAS, the Village Board has determined it appropriate to amend such section to better reflect actual practice within the Village; and

WHEREAS, the regulation of traffic control devices furthers the health, welfare and safety of the community;

NOW, THEREFORE, the Village Board of the Village of Germantown, Wisconsin, do ordain as follows:

SECTION I

Section 1.376(6) of the Municipal Code of Germantown is hereby amended as follows (NOTE: Deleted text is ~~struck through~~; Added text is underlined):

7.02 - OFFICIAL TRAFFIC MAP AND CONTROL DEVICES:
PROHIBITED SIGNS, SIGNALS AND MARKERS.

(1) **DUTY OF THE ~~CHIEF OF POLICE~~ DIRECTOR OF PUBLIC WORKS TO ERECT AND INSTALL UNIFORM TRAFFIC CONTROL DEVICES.** Whenever traffic regulations created by this chapter, including a State of Wisconsin traffic regulation adopted by reference in section 7.01 of this chapter, purport to require the erection of traffic control devices for enforcement, after consultation with the Chief of Police and the Director of Public Works, and upon recommendation by the Public Safety Committee or the Public Works and Highway Committee, the Village Board may direct that the Director of Public Works shall procure, erect and maintain the appropriate uniform traffic control device or devices conforming to the Uniform Traffic Control Device Manual promulgated by the Wisconsin Department of Transportation, giving notice of such traffic regulation to the users of the streets and highways on which such regulations apply. Whenever State law grants discretion to local authorities in erecting or placement of a uniform

traffic control device, such devices shall be erected in such locations and in such a manner as in the judgment of the Director of Public Works, will carry out the purposes of this chapter and give adequate warning to users of the streets and highways of the Village.

(2) OFFICIAL TRAFFIC MAP.

(a) Official Traffic Map Established. There is hereby established for the Village of Germantown an Official Traffic Map, dated November 1, 1988, upon which is indicated as of said date, all existing stop signs, railroad grade crossing stops, arterial intersections, yield signs, speed zones, school crossings, no parking zones, no parking tow-away zones and angle parking zones, and which the laws of the State of Wisconsin require the erection or use of official traffic control devices to enforce such restrictions or limitations. All such restrictions and limitations set forth on said Official Traffic Map are hereby ratified and affirmed.

(b) Additions to Map. The Village Board may from time to time make additions to or deletions from the Official Traffic Map and the ~~Chief of Police~~Director of Public Works shall keep such Official Traffic Map current. Every addition to said Official Traffic Map made after November 1, 1988, shall indicate the number of the authorizing ordinance or resolution and the date the appropriate official traffic control device was erected, and every deletion shall indicate the number of the authorizing ordinance or resolution.

(c) Map to be Maintained. A copy of the Official Traffic Map shall be maintained by the Director of Public Works and shall be available for inspection during normal business hours~~displayed in the Municipal Building.~~ The ~~Chief of Police~~Director of Public Works shall make appropriate authorized changes on said Map promptly~~within 3 working days~~ after the appropriate official traffic control device is erected or removed, as the case may be. The Director of Public Works may maintain the Map in the Village's GIS software.

(d) Violations Prohibited. When official traffic control devices giving notice of the restrictions, prohibitions and limitations shown on the Official Traffic Map are erected and maintained in accordance with the provisions of this section, a violation of the restriction, prohibition or limitation shown on the Official Traffic Map shall be a violation of the provisions of this chapter.

(3) **PROHIBITED SIGNS AND MARKERS IN HIGHWAYS.** No person other than an officer, authorized by this chapter to erect and maintain official traffic control devices, or his designee, shall place within the limits of any street or highway maintained by the Village any sign, signal, marker, mark or monument unless permission is first obtained from the ~~Chief of Police~~Director of Public Works or State Highway Commission. Any sign, signal, marker, mark or monument placed or maintained in violation of this subsection shall be subject to removal as provided in subsection (4) below.

(4) **REMOVAL OF UNOFFICIAL SIGNS, MARKERS, SIGNALS AND TRAFFIC CONTROL DEVICES.** The Chief of Police or the Director of Public Works may remove any sign, signal, marker or other device which is placed, maintained or displayed in violation of this chapter or State law. Any charge imposed against premises for removal of a prohibited or illegal sign, signal, marker or device shall be reported by the Chief of Police or Director of Public Works to the Village Board for review and certification at its next regular meeting following the imposition of the charge. Any charge not paid on or before the next succeeding November 15 shall be placed upon the tax roll for collection as other special municipal taxes.

(5) **DELEGATION AUTHORIZED.** In exercising any authority under this section, the Director of Public Works or Chief of Police may delegated their responsibility to another Village employee and/or an outside consultant.

SECTION II

The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION III

All ordinances or parts of ordinances contravening the terms of this ordinance are hereby to that extent repealed.

SECTION IV

This ordinance shall take effect and be in full force upon its passage and the day after publication.

Introduced by _____ on _____, 2020.

ORDINANCE NO. 14-2020

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Adopted: _____, 2020 Vote: Ayes: Nays: Absent:

Dean Wolter, Village President

ATTEST:

Deanna Braunschweig, Village Clerk

Approved as to form:

Brian C. Sajdak, Village Attorney

Published: _____

ORDINANCE NO. 15-2020

AN ORDINANCE CREATING SECTION 9.21 OF THE
GERMANTOWN MUNICIPAL CODE PROHIBITING RESIDENTIAL PICKETING

WHEREAS, the Village Board finds that the protection and preservation of the home is the keystone of democratic government; and

WHEREAS, the practice of picketing before or about residences and dwellings causes emotional disturbance and distress to the occupants, obstructs and interferes with the free use of public sidewalks and public ways of travel and such practice has as its object the harassing of such occupants; and

WHEREAS, reasonable time, place and manner restrictions on speech activities are appropriate where the public health and welfare and the good order of the community require such restrictions so that members of the community feel secure in their homes and dwellings insuring a feeling of well-being, tranquility, and privacy; and

WHEREAS, the Village Board finds that this ordinance is the least restrictive method of regulating speech activities while also ensuring the public's health and welfare as identified above;

NOW, THEREFORE, the Village Board of the Village of Germantown, Wisconsin, do ordain as follows:

SECTION I

Section 9.21 of the Municipal Code of Germantown is hereby created to read as follows:

9.21 RESIDENTIAL PICKETING PROHIBITED.

(1) DECLARATION.

(a) It is hereby declared that the protection and preservation of the home is the keystone of democratic government. Therefore, the following rights of the public shall be protected:

1. That the public health and welfare and the good order of the community require that members of the community feel

secure in their homes and dwellings insuring a feeling of well-being, tranquility, and privacy.

2. That the public carry with them the sense of security inherent in the assurance that they may return to the enjoyment of their homes and dwellings without harassment.

3. That the practice of picketing before or about residences and dwellings causes emotional disturbance and distress to the occupants, obstructs and interferes with the free use of public sidewalks and public ways of travel and such practice has as its object the harassing of such occupants.

4. That, without resort to such practice, full opportunity exists for the exercise of freedom of speech and other constitutional rights.

5. That the provisions hereinafter enacted are necessary for the public interest to avoid the detrimental results.

(b) These provisions are enacted by the Village Board pursuant to the provisions of Wis. Stat. § 61.34(1).

(2) EXCEPTIONS. No person shall engage in picketing before or about the residence or dwelling of any individual. Nothing herein shall be deemed to prohibit:

(a) Picketing in any lawful manner during a labor dispute.

(b) The holding of a meeting or assembly on any premises commonly used for the discussion of subjects of general public interest.

SECTION II

The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION III

All ordinances or parts of ordinances contravening the terms of this ordinance are hereby to that extent repealed.

SECTION IV

This ordinance shall take effect and be in full force upon its passage and the day after publication.

Introduced by _____ on _____, 2020.

Adopted: _____, 2020 Vote: Ayes: Nays: Absent:

Dean Wolter, Village President

ATTEST:

Deanna Braunschweig, Village Clerk

Approved as to form:

Brian C. Sajdak, Village Attorney

Published: _____

STATE OF WISCONSIN VILLAGE OF GERMANTOWN WASHINGTON COUNTY

ORDINANCE NO. 16-2020

AN ORDINANCE CREATING SECTION 7.20 OF THE
GERMANTOWN MUNICIPAL CODE RELATING TO COMPLIANCE
WITH TRAFFIC CONTROL DEVICES ON PRIVATE STREETS

WHEREAS, the Village Board previously adopted Chapter 7 of the Municipal Code establishing a Traffic Code for the Village; and

WHEREAS, upon request of certain owners within the Village, the Village Board has determined that it is appropriate to enforce traffic control devices on private streets; and

WHEREAS, the regulation of traffic is in the interest of the community's health, safety and welfare;

NOW, THEREFORE, the Village Board of the Village of Germantown, Wisconsin, do ordain as follows:

SECTION I

Section 7.20 of the Municipal Code of Germantown is hereby created to read as follows:

7.20 OPERATION OF MOTOR VEHICLES ON PRIVATE STREETS

No person shall operate a motor vehicle upon a private street within the Village in a manner contrary to a uniform traffic control device posted or erected upon such private street. A violation of this section shall be punishable under section 7.14(5).

SECTION II

The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION III

All ordinances or parts of ordinances contravening the terms of this ordinance are hereby to that extent repealed.

SECTION IV

This ordinance shall take effect and be in full force upon its passage and the day after publication.

Introduced by _____ on _____, 2020.

Adopted: _____, 2020 Vote: Ayes: Nays: Absent:

Dean Wolter, Village President

ATTEST:

Deanna Braunschweig, Village Clerk

Approved as to form:

Brian C. Sajdak, Village Attorney

Published: _____

COMMITTEE AGENDA ITEM

REQUEST FORM

I, Trustee Rick Miller hereby request that the following item(s) be placed on the next agenda of the Public Safety Committee, for consideration and action:

ITEM REQUESTED:

Discussion on the responsibilities of the Police, Fire and Village staff for residential dwellings on private roads

DISCUSSION/REASON:

At a previous Public Works meeting a resident of Blackstone Creek Condos said that was a lot of speeding on their roads (private) and was concerned about safety

Dated this 1 day of October, 2020


Signature of Trustee

Received: _____

By: _____

Revised: 4/25/00