

**TOWN OF GIBRALTAR
ORDINANCE NO. 2025-01
POLICE AND FIRE COMMISSION**

Ordinance 2025-01 shall repeal and replace any previous ordinance(s) in whole or part, including but not limited to Town of Gibraltar Police Ordinance 2002-15 or any other ordinances contradicting to this new ordinance.

The Town of Gibraltar does hereby adopt this ordinance in accordance with the Wisconsin State Statutes, and specifically section 60.55 and 60.56 Wis. Stats.

Purpose

The Town Board of the Town of Gibraltar, Door County, Wisconsin, has determined that it is in the best interests of the residents and property owners in the Town of Gibraltar to establish a police department and a fire department as well as a police and fire commission of governance to provide for law enforcement and fire protection within the Town, and to promote public safety and welfare. The Town Board, having established a police department under Section 60.56 Wis. Stats and a fire department under Section 60.55 Wis. Stats. the Town Board hereby establishes a Police and Fire Commission, as provided below, for all statutory purposes set forth in Section 62.13, Wis. Stats.

Statutory Authority

This ordinance is enacted pursuant to Sections 60.55 and 60.56 and 62.13 Wis. Stats., and this ordinance incorporates all portions of the Wisconsin Statutes found in each Section cited herein, as those Sections may be amended from time to time.

Definitions

The definitions contained in the statutes referred to above, as well as Section 939.22(22) and 340.01(70), Wis. Stats., are hereby adopted and made a part of this ordinance by reference.

Establishment of Police and Fire Commission

The Town Board does hereby establish a Police and Fire Commission, consisting of three persons, none of whom may be an elected or appointed official of the Town, or an employee of the Town. Each member of the Police and Fire Commission must reside within the Town of Gibraltar, either full-time or part-time. For the purposes of this Ordinance, "part-time" is defined as living in the Town of Gibraltar for at least six months of the calendar year, or a minimum of 183 days in any twelve-month period. The term of each member shall be three years, with one term ending in each year. For the purpose of creating staggered terms, any appointee to the Police and Fire Commission may at any time be appointed to a one, two or three-year term. The Town board may, by Resolution, from time to time appoint members of the Police and Fire Commission.

Mission

The mission of the Police and Fire Commission is to support the Town Board in an advisory role in the Town's efforts to ensure effective law enforcement and fire protection services for the residents and property owners of the Town. As an advisory body, the Commission provides guidance and recommendations on hiring, discipline and termination matters of the police and fire chiefs. The Commission is dedicated to promoting public safety, fostering transparency, and ensuring that both departments operate with the highest standards of professionalism, integrity, and fairness. While the Commission offers counsel to the Town Board, all final decisions regarding the departments' operations and staffing remain within the authority of the Town Board.

Duties

The Police and Fire Commission shall act in place of a board of police commissioners under the provisions of Section 62.13(5), Wis. Stats.

Meetings

The Police and Fire Commission shall convene annually for the purpose of receiving and reviewing yearly reports and updates. Additional meetings may be called as needed, specifically for the purpose of providing recommendations to the Town Board. The members of the Police and Fire Commission may receive a per diem for each meeting or activity related to their duties as members of the Commission. The amount of the per diem shall be established by the Town Board and shall be in conformity with applicable Statutes. The Town Board may also reimburse Commission members for any reasonable expenses incurred in the performance of their duties, as deemed appropriate by the Town Board.

Complaint Handling and Disciplinary Procedures

Complaints regarding the conduct or performance of officers, firefighters or the police department or the fire department shall be made in writing to Town Administration. Town Administration will review the complaint and determine whether a meeting of the Police and Fire Commission is warranted. It is the intention of the Police and Fire Commission to address all complaints and disciplinary matters with fairness and impartiality. The Commission is committed to ensuring that all parties involved are treated equitably and that the decision-making process remains free from bias. The Police and Fire Commission recognizes the critical importance of determining a fair and thorough finding in each case. By handling complaints and disciplinary actions in a transparent and just manner, the Commission aims to uphold the integrity and image of the Town of Gibraltar police and fire Departments. This is essential not only for the protection of citizens but also for safeguarding the rights of officers, firefighters and other persons involved.

Duties Retained by Town Board

Except for that authority specifically granted to the Police and Fire Commission by this Ordinance or by Wisconsin Statutes, the Town Board retains all other authority and responsibility with regard to the police department and fire department, including, without limitation, decisions relating to hiring and firing, scheduling, equipment and other administrative actions.

Enforcement of Laws and Ordinances

Subject to limitations put forth by the Town Board from time to time, the police department and fire department shall enforce the ordinances of the Town of Gibraltar as well as the laws of the State of Wisconsin and the United States, and are authorized to make arrests within the Town of Gibraltar. This provision is not intended to limit any mutual aid for assistance agreements that the Town of Gibraltar may enter into with any other municipality.

Budget

Pursuant to Sections 60.56(1)(b) and 60.56(2), Wis. Stats., the Town Board may appropriate money to fund the police department and the fire department.

Severability

If any provision of this ordinance, or the application thereof to any person or circumstances, is held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are severable.

Adopted by the Town Board of Gibraltar this 8th day of January, 2025.

Approved Aye 4 Nay 0

Steve Sohns Town Chairman Steve Sohns

Jayson Merkel Supervisor Jayson Merkel

Tom Birmingham Supervisor Tom Birmingham

John Selenica Supervisor John Selenica

Vinni Chomeau Supervisor Vinni Chomeau

Attested:
Laura Reetz Town Clerk Laura Reetz