

**VILLAGE OF LITTLE CHUTE
ORDINANCE NO. 5, SERIES OF 2013**

**AN ORDINANCE AMENDING THE VILLAGE OF LITTLE CHUTE MUNICIPAL CODE –
CHAPTER 2 – VILLAGE GOVERNMENT AND ELECTIONS – SECTION 155 FOX VALLEY
METRO POLICE COMMISSION**

BE IT ORDAINED by the Village Board of Trustees, Village of Little Chute, Outagamie County, Wisconsin as follows:

Section I. Chapter 2 Village Government and Elections of the Village of Little Chute code of ordinances is hereby amended by additions and/or subtractions to the content in Section 155 – Fox Valley Metro Police Commission as follows.

Sec. 2-155. - Fox Valley Metropolitan Police Commission.

(a) *Composition.* The Board of Fox Valley Metropolitan Police Commissioners shall consist of six citizens, ~~three~~ two appointed by the Village of Kimberly, two appointed by the Village of **Combined Locks** and ~~three~~ two appointed by the Village of Little Chute. A majority of the commissioners is a quorum. Each regular appointment shall be for a term of three years with such appointment to be made between the last Monday of April and the first Monday of May pursuant to Wis. Stats. §§ 61.65(3g) and 62.13. Upon appointment of initial members, the members of the commission shall elect a president, vice-president and secretary, and thereafter annually, following the appointment of members for regular terms. The president shall vote only when necessary to break a tie vote of the members.

(b) *General powers of the board.* Upon establishment of the Fox Valley Metro Police Commission, the commission shall have the following duties:

- (1) Appoint a police chief for the Fox Valley Metropolitan Police Department.
- (2) Determine the classification of subordinates for the Fox Valley Metropolitan Police Department, with the advice from the police chief.
- (3) Approve the appointment of subordinates to the classifications in the Fox Valley Metropolitan Police Department, as appointed by the police chief.
- (4) Exercise all authority conferred upon such commission by law, expressly recognizing that such commission does not maintain "optional powers" as defined by Wis. Stats. § 62.13(6).
- (5) Authority to hire, discharge and discipline employees as provided in Wis. Stats. § 62.13(5) and (6m), and shall be responsible for policy and procedures pertaining to promotions and discipline.
- (6) To schedule a date, time, and place for its meetings. Meetings shall be held on a regular basis.

(c) *Commissioners' compensation.* Fox Valley Metro Police Commission members shall receive committee service compensation as established from time to time by the Village Boards of Kimberly, **Combined Locks** and Little Chute.

(d) *Scope of authority specified.* In accordance with Wis. Stats. § 61.65, and other applicable statutes, the Fox Valley Metro Board of Police Commissioners shall have the following specific power and authority:

- (1) To conduct original entrance examinations for those seeking employment in the Fox Valley Metropolitan Police Department at the lowest ranks and to prepare an eligible list from the applicants successful in the examinations, including establishment of requirements for eligibility for employment. The actual appointments shall be made by the police chief from the list certified by the board of commissioners.
- (2) To conduct examinations for specialized or supervisory positions in the department when such positions cannot be filled to advantage by promotion and to open such examinations to the general public.
- (3) To approve or disapprove the appointments made by the police chief.
- (4) To appoint the police chief.
- (5) To conduct hearings on discharge or disciplinary actions within the Fox Valley Metropolitan Police Department.
- (6) To sue or be sued where necessary to carry out an express power or duty.

State law reference— Village police and fire departments, Wis. Stats. § 61.65; police and fire departments generally, Wis. Stats. § 62.13.

Section II: Severability. If any provision of this Ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the above provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or its applications.

Section III: Effective Date. This Ordinance shall become effective on the date of passage.

Section IV: State Law. Nothing therein precludes additional or alternative enforcement in accordance with Wisconsin Statutes, 61.65 or 62.13 or other applicable state law.

Date Introduced, Approved and Adopted: May 15, 2013

VILLAGE OF LITTLE CHUTE

By:

Michael R. Vanden Berg, Village President

Attest:

Vicki Schneider, Village Clerk