

CHAPTER 6 TOWN CONSTABLE

6.01 Authority. The Town Board has the authority pursuant to sec. 60.22(4), Stats. (2007-2008), to specify jurisdiction and duties of the Town of Wilson Constable(s). The Town Board shall determine the duties of the Constables and incident reports and time sheets must be filed with the Town Board by the Constables on a monthly basis.

6.02 Constable Issues Determined by Town Meeting. Pursuant to sec. 60.10, Stats. (2007-08), the electors at the Annual Town Meeting or at a Special Town Meeting may determine:

1. The number of constables to serve the Town of Wilson;
2. Whether or not the position of Town Constable should be abolished; and
3. Wages as fixed by the electorate at the last Annual Meeting or special Town Meeting prior to the first date for filing of nomination papers. The constable may be entitled to collect other fees as provided in Wisconsin Statutes. Upon request for nomination papers, a copy of Chapter 6 will be provided.

6.03 Jurisdiction. The Jurisdiction of the Town of Wilson Constables shall be limited to the areas bounded by the municipal boundaries of the Town of Wilson. The Town of Wilson Constables may assist in emergency situations outside of the municipal boundaries when so authorized by the Town Board but shall have no enforcement authority beyond the boundaries of the Town of Wilson.

6.04 Duties. The specific duties of the Town Constable(s) are as follows:

1. Enforce following Town Ordinances as instructed by the Town Board:
 - a. Chapter 7. Moving Buildings;
 - b. Chapter 14. Electioneering On and Near Town Property;
 - c. Chapter 25. Public Nuisance;
 - d. Chapter 26. Feeding of Whitetail Deer;
 - e. Chapter 30. Public Park Regulations;
 - f. Chapter 31. Town Transfer Station;
 - g. Chapter 52. Regulating Parking;
 - h. Chapter 54. Regulations on Use of Rights-of-Way;
 - i. Chapter 61. Prohibiting Against Littering;
 - j. Chapter 62. Animals;
 - k. Chapter 63. Regulating Storage of Unlicensed Motor Vehicles;
 - l. Chapter 65. Mandatory Recycling;
 - m. Chapter 66. Noise;
 - n. Chapter 67. Noxious Weeds;
 - o. Chapter 68. Citations and Penalties for Town Ordinance Violations.
2. Investigate all complaints that are reported to the Constable by the Town Board, Town Office or Road/Maintenance Supervisor;
3. Patrol as authorized or directed from time to time by the Town Board, not to exceed four (4) hours per month per constable based on two (2) Town Constables;

4. Constable shall monitor Town Hall activity;
5. Constable's services shall not be available or offered to or for any private function;
6. Cooperate with Sheboygan County Sheriff's Department in assisting law enforcement with traffic control within the road right-of-way, when requested to do so by the Sheriff's Department, when available;
7. Assist the Black River Fire Department for traffic control within the road right-of-way at the scene, when available, if Sheboygan County Sheriff Department or Wisconsin State Patrol is not available;
8. Assist the Oostburg Fire Department, when responding in the Town of Wilson, for traffic control within the road right-of-way at the scene, when available;
9. Assist the Town of Wilson First Responders, Unit 820 or Unit 815 (SF) for traffic control within the road right-of-way at the scene, for all traffic incidents, when available;
10. For non-traffic related emergency calls town constable(s) may assist the Town of Wilson First Responder Unit 820 or Unit 815 (SF) for traffic control within the road right-of-way at the scene when requested by the Unit officer-in-charge, when available;
11. Constable(s) may assist on Interstate 43 **at the request and direction of the Sheboygan County Sheriff or Wisconsin State Patrol**, when available;
12. Constable(s) shall keep an incident report, which shall include time, place, date, nature of call or business, violation if any is involved, names of persons involved, witnesses and disposition;
13. The Constables shall file a written monthly report, including an incident report document for each complaint and action taken, with the Town Board on a monthly basis;
14. The Constables shall report to the Town Clerk or Town Board who shall advise the Town Attorney of any action which may require prosecution or may result in court action and cooperate with the Town Attorney to institute any legal action if required;
15. The Constables are limited to jurisdiction within the municipal boundaries of the Town of Wilson;
16. While acting as a Town Constable, no Constable has jurisdiction to enforce any ordinance, statute or rule of the County, State, United States or any governmental body other than the Town of Wilson;
17. Any Constable with personal knowledge or information about a violation of any county, state or federal statute or ordinance shall immediately notify the Sheboygan County Sheriff's Department, but may not participate in the pursuit or apprehension of the violator;
18. Pursuit Policy: No pursuit. This "No pursuit" policy is not intended to restrain the Town Constable from investigating, responding to, and issuing citations for ordinance violations. For purposes of illustration, the "No pursuit" policy does not prevent the Town Constable from approaching citizens whose dogs are running-at-large within the Town. Nor should the "No pursuit policy prevent the Town Constable from approaching citizens for the purpose of seeking information about possible violations of Town ordinances. However, the Town Constable lacks law enforcement powers, including the power to arrest."

19. The Constables shall attend Sheboygan County Constable Association meetings and participate in any training the Town Board may direct;
20. The Constables shall not carry or use handcuffs or other devices intended or designed to restrain humans and shall have no authority to make arrests.

6.05 Non-Exclusivity. This ordinance does not preclude the Town Board from adopting any other ordinance designed to address peace and order or to enforce laws and ordinances in the Town. Nor shall the jurisdiction and duties of the Town Constable as stated herein preclude the Town Board from proceeding under any ordinance or law or by any other enforcement method to enforce any ordinance, regulation or order”

6.06 Equipment/Supplies. The Town of Wilson Constable(s) shall use the following equipment which shall be provided by the Town of Wilson:

1. Tan or khaki colored shirt with badge;
2. Flasher;
3. Radio for communication with Sheriff’s Department, Fire Department and First Responders;
4. Hand-held directional flare,
5. Reflective vest;
6. Reflective jacket;
7. Animal restraining devise and cage;
8. Fire extinguisher;
9. First aid kit;
10. Ordinance Book, Warning Notices and Violation Citations.

Effective date: This ordinance shall become effective upon adoption and publication as required by law.

Amended this 20th day of January, 2014.
Town of Wilson by David L. Gartman, Town Chairperson.

Published as a Class I notice in *The Sheboygan Press* on the 24th day January, 2014.
Posted in three places within the Town on the 24th day of January, 2014.
Georgene Lubach, Interim Clerk

Enacted this 15th day of March, 2010.
Town of Wilson by David L. Gartman, Chairperson.

This is to certify that the Town Board of the Town of Wilson duly enacted the foregoing Ordinance on the 15th day of March, 2010.

Published in the Sheboygan Press April 8, 2010.
Cheryl Rostollan, Clerk