

TOWN OF Auburn

ORDINANCE ESTABLISHING
JURISDICTION AND DUTIES OF
TOWN CONSTABLE

WHEREAS, effective January 1, 1985, pursuant to 1983 Wis. Act 532, Sec. 60.22(4) the Town Board shall determine the jurisdiction and duties of the town constable,

WHEREAS, it is in the public interest and welfare to establish the jurisdiction and duties of the constable of the Town of Auburn, as provided herein.

NOW, THEREFORE, the Town Board of Supervisors of the Town of Auburn, Chippewa County does ordain as follows:

SEC. 1 STATUTORY AUTHORITY:

Pursuant to Sec. 60.22(4) and Sec. 60.35 of 1983 Wisconsin Act 532, the Town Board of Supervisors of the Town of Auburn, Chippewa County hereby establishes the jurisdiction and duties of the town constable of the Town of Auburn, Chippewa County as described herein.

SEC. 2 JURISDICTION AND DUTIES:

The town constable of the Town of Auburn, Chippewa County shall (List of optional duties): [The Town Board should select those duties it wants applicable.]

(1) Keep and preserve the peace within the Town of Auburn, and shall have the full peace powers to arrest and apprehend any person for felony or breach of peace pursuant to Sec. 59.24 of Wisconsin Statutes and for purposes of carrying out such duties shall be considered a peace officer as defined in Sec. 939.22(22) of Wis. Statutes. [This alternative retains full peace powers.]

(2) Suppress unlawful assemblies within the Town of Auburn pursuant to Sec. 947.06 of Wisconsin Statutes. [This alternative also gives peace powers.]

(3) Direct and regulate traffic and make arrests for violation of traffic crimes and regulations of Chapters 194 and 341 to 349 of Wisconsin Statutes, and for purposes of carrying out such duties shall be considered a traffic officer as defined in Sec. 340.01(70) of Wisconsin Statutes.

(4) Serve within his county any writ, process, order or notice, and execute any order, warrant or execution lawfully directed to or required to be executed by him by any court or officer.

(5) Attend upon sessions of the Circuit Court in his county when required by the sheriff.

(6) Inform the District Attorney of all trespasses on public lands on which he has knowledge or information.

(7) Impound cattle, horses, sheep, swine and other animals at large on the highways in violation of any duly published order or ordinance adopted by the Town Board.

(8) Cause to be prosecuted all violations of law of which he has knowledge or information.

(9) Perform all other duties required by any law.

(10) Cause to be enforced and prosecuted all violations of town ordinances of which he has knowledge or information.

Alternative to (10): Cause to be enforced and prosecuted all violations of the following named town ordinances of which he has knowledge or information:

- (a) Dog Ordinance #81-3
- (b) Nuisance Ordinance #83-4
- Etc.

(11) Act on behalf of the Town Board as directed to:

- (a) See that town orders and ordinances are obeyed.
- (b) See that peace and order are maintained in the town.
- (c) Obtain necessary assistance, if available, in case of emergency, except as provided under Chapter 166 of Wisconsin Statutes for emergency government.

SEC. 3 NONEXCLUSIVITY:

A. Other ordinance.

Adoption of this ordinance does not preclude the Town Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter.

B. Other remedies.

The jurisdiction and duties of the town constable as stated herein shall not preclude the Town Board or any other town officer from proceeding under any ordinance or law or by any other enforcement method to enforce any ordinance, regulation, or order.

SEC. 4 SEVERABILITY:

If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not effect the provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

SEC. 5 EFFECTIVE DATE:

This ordinance shall take effect January 1, 1985.

The foregoing ordinance was adopted at a regular meeting of the Town Board of the Town of Auburn on December 10, 1984.

Filed this 10th day of December,
19 84, in the office of the town clerk:

Kerathy Conrad
Town Clerk

Orville J. Pingel
Town Chairman

Irvine Dreyer
Town Supervisor

James H. Beal
Town Supervisor