

WAUPACA COUNTY CODE OF ORDINANCES
Chapter 6
Law Enforcement and Courts

6.01	Sheriff's Department	6.08	Hourly Rate for Civic Functions
6.02	Sheriff	6.09	Collection of Booking and Processing Fees
6.03	Chief Deputy	6.10	Civil Process Service Charge and Mileage Rate Charged of Civil Process Service Through the Waupaca County Sheriff's Department
6.04	County Traffic Control		
6.05	Snowmobile and Water Patrol		
6.06	Reimbursement Per Day Costs and Medical Care of Prisoners		
6.07	Hourly Rate for Emergency or Prolonged Service		

6.01 SHERIFF'S DEPARTMENT

A. POWERS AND DUTIES OF PEACE OFFICERS

The Sheriff and Deputy Sheriffs shall keep and preserve the peace in the County, suppress all riots and unlawful assemblies and for such purposes and for the process of service in civil and criminal cases and in the apprehending or securing of any person for a felony or breach of the peace they may call to their aid such persons or power of the County as they deem necessary.

B. NOT TO ACT AS ATTORNEY

Pursuant to Sec. 59.26, Wis. Stats., neither the Sheriff, any Deputy Sheriff nor the Coroner shall act as attorney in any court, draw or fill up any writ, pleading or proceeding for a party in any action, nor with the intent to be employed in the collection of any demand or the service of any process, advise or counsel any person to commence an action or proceeding.

C. LAW ENFORCEMENT COMPACT

1. As provided in Sec. 66.035 and 66.315, Wis. Stats., the Sheriff is authorized and directed to negotiate with the Sheriffs of Wisconsin Counties a detailed plan to provide mutual assistance during emergencies of such magnitude that the law enforcement unit of one county finds it impossible to handle.
2. In the event of an emergency as described in (C)(1) above and when authorized by the Sheriff or his subordinate, members of the Sheriff's Department shall perform enforcement work and other work related to public health and safety beyond the territorial limits of the County.

3. Whenever County enforcement personnel are assigned to duty beyond the territorial limits of the County under emergency circumstances as provided herein, the Sheriff shall make an appropriate report to the Board of Supervisors as soon as possible thereafter.

6.02 SHERIFF

A. ELECTION AND TERM

See Section 1.11 of the General Code.

B. DUTIES

The Sheriff shall perform such duties as are provided in Sec. 59.23, Wis. Stats., and other applicable State Statutes and County Ordinances and Resolutions.

6.03 CHIEF DEPUTY

A. RANK

The Chief Deputy shall outrank all other officers and deputies, sergeants, lieutenants or captains.

B. DUTIES

The Chief Deputy shall perform the following duties:

1. Act for the Sheriff in his absence.
2. Be the head administrative and personnel officer within the department.
3. Direct investigation, internal operations and the Civil Process division.
4. Assign and review work of officers and employees within the Department.
5. Prepare and make recommendations to the Sheriff and the Judiciary and Public Safety Committee.
6. Keep records and make reports as directed by the Committee.

7. Make complaints to the Sheriff and the Committee for disciplinary purposes against any officer he believes has acted in a manner to merit suspension, demotion or dismissal.

C. SALARY AND VACATION

The salary of the Chief Deputy shall be as determined by the County Board. A condition of the office is that no leave of absence shall be granted to run for public office. The position shall be considered vacant in such event.

6.04 COUNTY TRAFFIC CONTROL

- A. It is hereby recognized that the Waupaca County Traffic Patrol is a department under the jurisdiction of the Law Enforcement Committee.
- B. The personnel of such department shall be that as established and changed from time by resolution of the Waupaca County Board.
- C. The Law Enforcement Committee shall establish and maintain rules and regulations for the management of the County Traffic Control including those currently established by the Committee.
- D. An annual budget shall be submitted for the County Traffic Control in accord with the rules of the Waupaca County Board.

6.05 SNOWMOBILE AND WATER PATROL

There is hereby established a Snowmobile and Water Patrol within the Sheriff's Department as follows:

- A. There shall be a Patrol Supervisor appointed by the Sheriff from those applicants possessing experience and leadership ability.
- B. The Patrol Supervisor shall work those times as the Sheriff directs in the months of April, May, June, July, August and September and as the budget for the Water Patrol permits and such winter months as the Snowmobile Patrol budget permits.
- C. The Patrol Supervisor shall employ, subject to the approval of the Sheriff, such part-time help as the budget permits, not to exceed 12 weeks in any one year, nor 40 hours in any one week.

- D. Pay vouchers for Snowmobile and Water Patrol work shall be submitted to both the Sheriff and the Law Enforcement Committee for approval before payment.
- E. Any person so employed may be terminated by the Sheriff for cause including acts which reflect on the Sheriff's liability.
- F. An annual budget for each patrol shall be submitted by the Sheriff in accord with County Board rules on budgets and in conformity with State rules and regulations.
- G. At such time as State funding for these projects reaches less than 50% of any wages and salaries involved, the operation shall terminate unless further authorization is obtained from the County Board.
- H. The Water Patrol and Snowmobile Patrol personnel shall only be assigned other duties when either of the following exists:
 1. An emergency, or;
 2. Individual patrol members consent thereto.
- I. Procedures and policies shall be in accord with State rules and requirements.

6.06 REIMBURSEMENT PER DAY COSTS AND MEDICAL CARE OF PRISONERS

(Adopted January 20, 2004, amended June 18, 2013, amended September 17, 2013)

The Sheriff, in accordance with Sec. 302.38(4) and 302.372(2), Wis. Stats., shall collect fees and medical/health care costs of prisoners under the following procedures:

- A. Inmates and prisoners sentenced to the Jail shall be assessed an initial forty (\$40.00) dollar booking fee and a daily fee of ten (\$10.00) dollars per day for each day of incarceration in the Waupaca County Jail. Inmates and prisoners sentenced to the jail serving weekend sentences shall be charged a rate of twenty (\$20.00) dollars per day.
- B. Huber Law inmates shall be charged a rate of twenty-five (\$25.00) dollars per day while exercising Huber Law privileges.
- C. Inmates and prisoners will be responsible for the cost of their medical and dental care, prescriptions and other personal needs (such as eyeglasses) during incarceration.

- D. The Sheriff or his designee shall require that all prisoners complete a financial disclosure form to be used to determine viability of pursuing reimbursement of costs.
- E. The Sheriff or his designee shall deduct the costs incurred by the County from the prisoners canteen account.
- F. Within 12 months of release, the Sheriff and/or the Sheriff's designee shall assess the costs incurred by the prisoner and commence a civil action pursuant to Sec. 302.372(6), Wis. Stats.
- G. A one hundred twenty-five (\$125.00) dollar administrative fee will be assessed on all unpaid accounts in addition to the monies owed. This fee will include the cost of the civil judgment.

6.07 HOURLY RATE FOR EMERGENCY OR PROLONGED SERVICE

When an emergency or other condition requires that a Sheriff's Deputy be on active service for 48 or more hours, such Deputy shall be reimbursed at an hourly rate as established by the County Board from time to time. The Sheriff shall determine when such pay rate shall apply and shall so advise his deputies.

6.08 HOURLY RATE FOR CIVIC FUNCTIONS

Reimbursement for serving at civic functions and similar nonhazardous duties shall be at the hourly rate established by the County Board from time to time.

6.09 COLLECTION OF BOOKING AND PROCESSING FEES

The Sheriff pursuant to Section 59.03 Wis. Stats., shall collect processing and booking fees as follows:

- A. Defendants shall be assessed a fee of forty (\$40.00) dollars when directed to submit to the booking process by a circuit court or required to submit to the booking fee when arrested and taken to the Waupaca County Jail. Said fee shall be assessed on a per case basis and payable at the time of booking.
- B. This Ordinance will become effective and enforceable immediately upon adoption by the Waupaca County Board on March 20, 2001.
- C. Warrant Fees:

1. A person picked up on a warrant by or on behalf of the Waupaca County Sheriff's Office shall be charged a fee of \$35 or 10% of the amount of the bond(s), whichever is greater.
2. A person picked up on a warrant shall also be charged a transportation fee for the round trip miles in picking up the person and delivering them to the Waupaca County Jail. The transportation fee shall begin at \$.585 per mile and shall increase and decrease in the same amount as the mileage rate reimbursed to Waupaca County employees.
3. This ordinance shall be effective upon passage on October 28, 2008 and publication as required by law. This ordinance supersedes any ordinance in conflict with it.

6.10 CIVIL PROCESS SERVICE CHARGE AND MILEAGE RATE CHARGED OF CIVIL PROCESS SERVICE THROUGH THE WAUPACA COUNTY SHERIFF'S DEPARTMENT

- A. Sec. 814.705(1), Wis. Stats. allows for a County Board to establish a higher fee for collection by the Sheriff.
- B. The charge for Civil process eviction fees shall be \$60.00 plus two mileage charges for an eviction with a Waupaca mailing address and \$80.00 plus two mileage charges for an eviction within Waupaca County but with a mailing address other than a Waupaca mailing address.
- C. The mileage rate charged for all civil process services shall be at the same rate as set by County Board for all employees (IRS rate).
- D. Effective date and Severability:
 1. This Ordinance shall be enacted and in full force and effective immediately upon adoption by the County Board. Any and all ordinances in conflict with this ordinance are hereby repealed and superseded.
 2. Approved by the Waupaca County Law Enforcement Committee on June 11, 2013 and Waupaca County Legislative, Judicial, Ethics, Safety & Security Committee on June 12, 2013.