



## PUBLIC NOTICE

### Police and Fire Commission Meeting

Thursday, January 29, 2026 at 5:00 PM

City of Dodgeville Police Department, 111 W. Merrimac  
St., Dodgeville, WI

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## AGENDA

### I. CALL TO ORDER AND ROLL CALL

### II. CONFIRMATION AND COMPLIANCE WITH THE OPEN MEETING LAW

### III. APPROVAL OF MINUTES

1. Approval of minutes from January 19, 2026 Police and Fire Commission regular meeting held at Dodgeville City Hall

### IV. NEW BUSINESS

2. Review and possible approval of position descriptions for Police Officer, Chief of Police, Lieutenant, and Sergeant.

### V. OLD BUSINESS

3. Review of Police and Fire Commission By-Laws and possible approval of updated by-laws

### VI. ANY OTHER BUSINESS INCLUDING PUBLIC COMMENT

### VII. CLOSED SESSION

4. Consideration of adjourning to closed session pursuant to Wis. Stat. sec. 19.85(1)(c), which permits convening in closed session for the consideration of employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility for the purposes relating to Police Officer hiring/interviews.

### VIII. OPEN SESSION

5. Motion to reconvene to Open Session
6. Any action needed as a result of Closed Session

### IX. NEXT MEETING: Regular Meeting, April 20, 2026, 3rd Monday at 5:00 p.m.

### X. ADJOURN

7. Motion to Adjourn

*Any person who has a qualifying disability, as defined by the Americans with Disabilities Act, that requires the meeting or material at the meeting to be in an accessible location or format, must contact the City Clerk at the address listed above or call 930-5228, prior to the meeting so that any necessary arrangements can be made to accommodate each request.*



## Minutes

Police and Fire Commission, Regular Meeting

Monday, January 19<sup>th</sup>, 2026, 5:00 PM

City Hall Council Chambers, 410 E. Leffler St. Dodgeville, WI

### I. CALL TO ORDER AND ROLL CALL

President Tom Demuth called to order the Regular Meeting of the Police and Fire Commission at 5:15 PM on January 19<sup>th</sup>, 2026 at Dodgeville City Hall.

Roll call, the following persons were Present: Mike Humke, Tom Demuth, Ken Von Rueden. Also present: Chief Brian Whitehouse and Chief Brandon Wilhelm.

### II. CONFIRMATION AND COMPLIANCE WITH THE OPEN MEETING LAW

Posted Friday, January 16<sup>th</sup>, 2026.

### III. APPROVAL OF MINUTES

**1. Motion to approve the minutes from the October 20<sup>th</sup>, 2025**, Police and Fire Commission Regular Meeting held at the Dodgeville Fire Department

**2. Motion to approve the minutes of the December 10<sup>th</sup>, 2025**, Police and Fire Commission special meeting held at the Dodgeville Police Department.

Motions made by Mike Humke. Second by Ken Von Rueden. **Passed 3-0**

### IV. NEW BUSINESS

**3. Dodgeville Fire Department Quarterly Report** was presented by Chief Brian Whitehouse.

Chief Whitehouse presented 2025 year-end statistics related to calls and member response. 138 calls in 2025 compared to 149 in 2024. Members per call averaged 14 in 2025. Currently, one member in entry-level fire training at SWTC. Another member completed Certified Firefighter 1. Floor repair work in the bay was delayed by the contractor and is anticipated to occur this year when the weather warms. Fundraising breakfast at Dodger Bowl was a success. 3 battery-powered demolition saws were purchased with donations. Discussed frame repair work on 2007 Pierce Engine 1. Considering options at this time. A grant for \$572,000 was awarded for a fire training tower. Working to secure a site.

**4. Dodgeville Police Department Quarterly Report** was given by Chief Brandon Wilhelm.

Chief Wilhelm presented his 4<sup>th</sup> quarter 2025 report. Discussed a new switch being installed at the Police Department, which enhanced internet speeds. The 2025 Hybrid squad was placed into service in December. Currently working to fill an open officer position. The candidate hiring process is ongoing. 4<sup>th</sup> quarter 2025 (October through December) had 1028 calls for service compared to 1038 in 2024, a one percent decrease. Overall, there were 4217 Calls for service in 2025 compared to 3703, a 14 percent increase. Final numbers and trends to be presented at the April PFC meeting. Some 2026 goals were presented, including the continuation of digital evidence protocols and the purchase of digital evidence extraction tools and software to enhance the Department's response to cases involving digital evidence. Also spoke briefly regarding increasing Open Records requests specifically related to body camera video.

## **V. OLD BUSINESS**

**5. Review of Police and Fire Commission By-Laws** and possible approval of updated by-laws.

Tabled due to the likelihood that the review would take long enough that there would no longer be a quorum available due to M. Humke needing to leave by 5:50 p.m.

## **VI. ANY OTHER BUSINESS INCLUDING PUBLIC COMMENT**

None

## **VII. CLOSED SESSION**

6. Consideration of adjourning to closed session pursuant to Wis. Stat. sec. 19.85(1)(c), which permits convening in closed session for the consideration of employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility for the purposes relating to Police Officer hiring/interviews.

Tabled due to the likelihood that the review would take long enough that there would no longer be a quorum available due to M. Humke needing to leave by 5:50 p.m.

**VII. NEXT MEETING: Special meeting to be held January 26<sup>th</sup>, 2026 at 5:00 p.m. at the Dodgeville Police Department.**

## **VIII. ADJOURN**

- 1. Motion to Adjourn** made by Ken Von Rueden at 5:50 p.m., second by Mike Humke.  
**Motion Passed 3-0**

## DODGEVILLE POLICE DEPARTMENT JOB DESCRIPTION

### POLICE OFFICER

**EXEMPT:** No

**UNION:** Yes

#### **GENERAL STATEMENT OF JOB:**

Performs a variety of routine and complex public safety work consisting of preventative patrol, community policing activities, criminal investigations, car crash investigations, enforcement of Federal and State Statutes, enforcement of Municipal Ordinances, first responder responsibilities, traffic control activities, provides emergency response to citizen requests, and performs all other police functions within the City of Dodgeville.

#### **EXAMPLES OF WORK PERFORMED:**

1. Patrols a designated area of the City on foot, by bicycle or in a squad car to preserve law and order, to prevent and discover the commission of crime, to lend assistance to citizens in need, to note and report situations which endanger the health, safety, and convenience of the public, and to enforce traffic and parking regulations.
2. Answers assigned calls for service and impartially investigates assigned complaints.
3. Investigates crimes, legally arrests persons, participates in prosecutions, educates and works with citizens in an effort to reduce crime in the community.
4. Investigates Municipal Ordinance violations, issues Municipal Citations, participates in prosecutions of City cases, educates and works with citizens in an effort to reduce ordinance violations.
5. Enforces traffic laws, investigates traffic accidents, issues Traffic Citations, participates in prosecutions of traffic cases, educates and works with citizens in an effort to reduce traffic problems and cause traffic to flow safely in the community.
6. Provides other services to citizens as permitted by the department resources (i.e. funeral escorts, animal control, first responder, motorist assists and many other services.)
7. Enforces parking laws, educates and works with citizens in an effort to reduce parking violations.
8. Completes all required reports.
9. Safeguards and preserves all property under the control of the police department.
10. Protects and respects the constitutional rights of all persons.
11. Identifies, proposes improvements, and follows department policies, procedures, rules, regulations and written directives.
12. Carries out the lawful orders of a superior.
13. Performs other duties as requested or as needed.

#### **REQUIRED KNOWLEDGE, SKILLS AND ABILITIES:**

Logical or scientific thinking to solve problems or interpret instructions by using several abstract and concrete variables simultaneously. Arithmetic calculations involving fractions, decimals, and percentages. Knowledge of modern law enforcement practices. Ability to communicate effectively, in English, both verbally and/or in writing, with customers and the general public. Operation of tools and equipment listed.

Ability to learn the applicable laws, ordinances, and department policies, rules and regulations; ability to perform work requiring good physical condition; ability to communicate effectively, verbally and in writing; ability to establish and maintain effective working relationship with subordinates, peers and supervisors; ability to exercise sound judgment in evaluating situations and in making decisions; ability to follow verbal and written instructions; ability to learn the City's geography. The employee will be familiar with the details of general tasks and be able to perform the tasks reasonably well within 1 year.

### **TOOLS AND EQUIPMENT USED:**

Police car, police radios, radar, laser, taser, handgun, rifle, shotgun, baton, handcuffs, pepper mace, first aid equipment, personal computer including a variety of software packages, and telephone.

### **CONFIDENTIAL DATA:**

This employee may be exposed to all police records. Confidential data includes all police records. A few examples of these records are as follows: criminal records, requests for services, traffic information; juvenile records, domestic abuse complaints, child abuse complaints, employee personnel files, and all written and computerized records. There are legal and internal controls on the release of any information from the Police Department.

### **ESSENTIAL PHYSICAL JOB REQUIREMENTS:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. The employee must occasionally lift and/or move more than 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

In addition, the Dodgeville Police and Fire Commission adopted the following physical demands for all sworn police officers: standing, walking, sitting, lifting/carrying (Max. an injured or ill individual), pushing, pulling, pulling hand-over-hand, climbing stairs, climbing - use of legs/arms, balancing, stooping, kneeling, repeated bending, crawling, reaching high/low/level, finger movement/repetitive, repetitive twisting or pressure involving wrists or hands, both hands required, both legs required, ability for rapid mental/muscular coordination simultaneously, oral communication - ability to speak clearly in English, hearing/conversation, near/far visual requirements, depth perception, color vision: distinguish basic shades, color vision: distinguish basic colors, operation of a police vehicle.

### **ACCEPTABLE EXPERIENCE AND QUALIFICATIONS:**

The following elements serve to identify the required acceptable experience and qualifications:

1. Criteria established by the Dodgeville Police and Fire Commission.
2. Associate's Degree/60 College Credits- Sixty (60) college credits from an accredited institution of higher learning within 5 years of employment
3. Certification by the Wisconsin Law Enforcement Standards Board, or the ability to obtain certification.
4. As established by the Wisconsin Department of Justice Training and Standards Board and the Dodgeville Police and Fire Commission.

### **STATEMENT OF WORKING CONDITIONS:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties of this job, the employee occasionally

works in outside weather conditions, near moving mechanical parts; in high, precarious places; and with explosives and is occasionally exposed to wet and/or humid conditions, fumes, or airborne particles, toxic or caustic chemicals, extreme cold, extreme heat, and vibrations. The noise level in the work environment is usually moderate.

**POSITION ACCOUNTABILITY:**

REPORTS TO: Sergeant, Lieutenant or Chief of Police

SUPERVISION EXERCISED: Over subordinate Officers.

**SELECTION GUIDELINES:**

The selection process is clearly outlined in the Police and Fire Commission's "Bylaws and Rules of Procedure". The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position. The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

Approval: \_\_\_\_\_  
                   Chief of Police

Effective Date: 12/11/2025

## DODGEVILLE POLICE DEPARTMENT JOB DESCRIPTION

### CHIEF OF POLICE

**EXEMPT:** Yes

**UNION:** No

**GENERAL STATEMENT OF JOB:** The Chief of Police is the Chief Executive Officer of the Police Department and is responsible for the protection of lives and property in the City of Dodgeville through the supervision of all police department functions. The Chief of Police shall organize a management team in the Police Department. The office of Chief of Police is a position that serves in accordance with the provisions of Wisconsin State Statute 62.13 and functions in accordance with ordinances established by the Mayor and Common Council. The Chief of Police has considerable latitude in the exercise of independent judgment and discretion in the management and operation of the Police Department.

#### **EXAMPLES OF WORK PERFORMED:**

1. Organizes controls and directs the personnel and resources of the Police Department.
2. Identifies, develops, and implements long and short-range plans designed to meet the law enforcement needs of citizens, ensure a safer community, reduce disorder and attempt to meet the needs of citizens.
3. Represents the Police Department to City Officials in Committee Meetings, Council Meetings and other City Functions.
4. Represents the Police Department to residents, businesses, social service agencies, criminal justice agencies, and other groups.
5. Develops, writes and enforces policies, procedures, rules, regulations, and other written directives to ensure efficient and effective operation of the department.
6. Reviews Department performance and effectiveness, formulates programs or policies to alleviate deficiencies.
7. Coordinates the information gathered and work accomplished by various officers; assigns officers to special investigations as the needs arise for their specific skills.
8. Assures that personnel are assigned to shifts or working units that provide optimum effectiveness in terms of current situations and circumstances governing deployment.
9. Ensures the evaluation of evidence, witnesses, and suspects in criminal cases to correlate all aspects and to assess for trends, similarities, or for associations with other cases.
10. Supervises and coordinates the preparation and presentation of an annual budget for the Department; directs the implementation of the department's budget; plans for and reviews specifications for new or replaced equipment.
11. Directs the development and maintenance of systems, records and legal documents that provide for the proper evaluation, control and documentation of police department operations. Ensures records are protected and distributed as required by law.
12. Trains and develops Department personnel.
13. Handles grievances, maintains departmental discipline, conduct, and general behavior of assigned personnel.



14. Prepares and submits periodic reports to the Mayor and Common Council regarding the Department's activities, and prepares a variety of other reports as appropriate.
15. Meets with elected or appointed officials, other law enforcement officials, community and business representatives, and the public on all aspects of the Department's activities.
16. Attends conferences and meetings to keep abreast of current trends in the field; represents the City Police Department in a variety of local, county, state, and other meetings.
17. Cooperate with County, State, and Federal law enforcement officers as appropriate where activities of the police department are of mutual interest.
18. Ensures that laws and ordinances are enforced and that the public peace and safety are maintained.
19. Directs investigation of major crime scenes.
20. Performs the duties of subordinate personnel as needed.
21. Analyzes and recommends improvements to equipment and facilities, as needed.
22. Evaluates and investigates complaints of misconduct and completes/supervises internal investigations of all police employees.
23. Ensures proper reporting of UCR/IBR, use of force, search warrants, and pursuit data to the appropriate State or Federal agencies.
24. Oversees the release of all open record requests and assists with timely and accurate retention and redaction practices.

### **REQUIRED KNOWLEDGE, SKILLS AND ABILITIES**

The Chief of Police will be expected demonstrate knowledge of accepted principles and practices of police administration; personnel and human resources management; collective bargaining and employee relations; computer systems, software applications and other methods of collating, collecting and analyzing information; community oriented policing, law enforcement accreditation, strategic planning and quality improvement; internal affairs functions; day-to-day police operations; and knowledge of subordinate staff duties and responsibilities.

The Chief of Police will be expected demonstrate the skills to organize, control and direct the personnel and resources of the department; counsel, guide and lead supervisors and patrol officers in handling various police situations; display outstanding writing skills, with a corresponding ability to compose comprehensive written narrative reports, proposals, letters, research papers, policies and procedures, memos and other written documents; serve as the primary spokesperson with the news media; must demonstrate excellent problem solving skills; skill to develop, administer and evaluate the department's various jobs/positions, for task analysis, classification and job descriptions; and skill to implement and monitor the department's mission and vision resulting from strategic planning.

The Chief of Police will be expected demonstrate the ability to administer the collective bargaining grievance procedure; develop and present the department's annual budget to the Mayor and Common Council, monitor the performance evaluation system, complete evaluations for command and supervisory officers and business office manager; maintain the department's employee counseling/coaching function; develop, implement and evaluate remedial, specialized, in-service and advanced training programs; take disciplinary action concerning officer/employee conduct; ability to ensure that service delivery is maintained through establishing rules and regulations, policies and procedures, rules of conduct and other written

directives; develop policies and procedures, special orders, general orders, memorandums, rules and regulations and other written directives for efficient operation of the department; implement and monitor the department's goals and objectives resulting from strategic planning, display excellent public speaking skills with a corresponding ability to articulate appropriate viewpoints of the department; represent the department to residents, businesses, social agencies, criminal justice agencies and other groups, direct the preparation of a comprehensive general plan for the emergency preparedness of the City; and with technical independence and considerable latitude in the exercise of independent judgment in the management and operation of the department.

**TOOLS AND EQUIPMENT USED:** Police car, police radios, radar, laser, Varda Alarm, handgun, rifle, shotgun, baton, handcuffs, electronic control device (taser), pepper mace, first aid equipment, personal computer including a variety of software packages and telephone.

**CONFIDENTIAL DATA:** This employee may be exposed to confidential data which may be included in all police records. A few examples of these records are as follows: criminal records, requests for services, traffic information, juvenile records, domestic abuse complaints, child abuse complaints, employee personnel files, Open records acts and Freedom of Information Act requests, and all written and computerized records. Employee must keep current with legal changes, restrictions and internal controls on the release of any information from the Police Department.

**ESSENTIAL PHYSICAL JOB REQUIREMENTS:** The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. The employee must occasionally lift and/or move more than 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, the ability to adjust focus and have sufficient vision to function in low light situations. In addition, the Dodgeville Police and Fire Commission adopted the following physical demands for all sworn police officers: standing, walking, sitting, lifting/carrying (Max. an injured or ill individual), pushing, pulling, pulling hand-over-hand, climbing stairs, climbing - use of legs/arms, balancing, stooping, kneeling, repeated bending, crawling, reaching high/low/level, finger movement/repetitive, repetitive twisting or pressure involving wrists or hands, both hands required, both legs required, ability for rapid mental/muscular coordination simultaneously, oral communication - ability to speak clearly in English, hearing/conversation, near/far visual requirements, depth perception, color vision, operation of a police vehicle and the ability to possess and use various firearms.

**ACCEPTABLE EXPERIENCE AND QUALIFICATIONS:**

The following elements serve to identify the required acceptable experience and qualifications: Criteria identified by the Dodgeville Police and Fire Commission, Wisconsin Law Enforcement Standards Board Law Enforcement Certification, or the ability to obtain. Ten years experience in the law enforcement field with five years of progressively responsible managerial and supervisory experience at a senior command rank of Sergeant or above, which includes actual and demonstrated managerial, leadership and supervisory level experiences. Preference may be given to a candidate with a Master's Degree from an accredited University or College in field related to criminal justice, or a Bachelor's Degree from an accredited University in a field related to criminal justice with advanced police training such as the FBI National Academy, Southern Police Institute, Northwestern University Staff and Command School, Criminal Justice Executive Development Institute or an equivalent program. Candidates must demonstrate proficiency in the conceptual knowledge of managerial and administrative principles and procedures as it relates to the overall administration of a law enforcement agency.

**STATEMENT OF WORKING CONDITIONS:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties of this job, the employee occasionally works in outside weather conditions, near moving mechanical parts; in high, precarious places; and with explosives, and is occasionally exposed to wet and/or humid conditions, fumes, or airborne particles, toxic or caustic chemicals, extreme cold, extreme heat, and vibrations. The noise level in the work environment is usually moderate.

**POSITION ACCOUNTABILITY:**

REPORTS TO: Mayor, Police and Fire Commission & Common Council

SUPERVISION EXERCISED: All police employees

**SELECTION GUIDELINES:** The selection process is clearly outlined in the Police and Fire Commission’s “Bylaws and Rules of Procedure”. The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position. The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

Approval: \_\_\_\_\_  
Chief of Police

Effective Date: 03/07/23  
Revision History:

## DODGEVILLE POLICE DEPARTMENT JOB DESCRIPTION

### POLICE LIEUTENANT

**EXEMPT:** Yes

**UNION:** No

#### **GENERAL STATEMENT OF JOB:**

The Police Lieutenant is a Senior Command Officer, holding the permanent rank of Lieutenant, and is a member of the management team of the Police Department. Lieutenants are responsible for the protection of lives and property in the City of Dodgeville through the supervision of all police department functions. Police Lieutenant holds a position in accordance with the provisions of Wisconsin State Statute 62.13 and functions in accordance with general policies established by the Chief of Police.

#### **EXAMPLES OF WORK PERFORMED:**

1. Serves as a member of the management team to enhance the overall effectiveness and efficiency of the Dodgeville Police Department. Constantly examines and evaluates the procedures, policies, and overall performance of all employees of the department.
2. Identifies any deficiencies, weaknesses, or inadequacies in operations, develops plans within the structure of the management team, and implements remedial measures, including training to correct those deficiencies. Assists in the preparation and administration of the department budget.
3. Supervises records and controls operating budget purchases.
4. Assists the Chief of Police in evaluating all complaints of misconduct against any police employee and completes internal investigations as directed by the Chief of Police.
5. Assists in establishing and implementing department-wide ethical standards.
6. Evaluates, plans, develops, and provides all remedial, specialized in-service, and advanced training programs for sworn positions and monitors training programs for civilian personnel.
7. Monitors sworn position performance and completes informal evaluations for the positions of Community Resource Officer and Sergeant.
8. Designs, plans, implements, and evaluates community policing programs, which include all department community relations and crime prevention programs.
9. Writes, reviews, trains, and administers the policies related to training, personnel, and community policing and traffic standards.
10. Maintains and establishes a working relationship with the Dodgeville business community, members of the Common Council, members of the Police and Fire Commission, the Dodgeville Volunteer Fire Department, the Dodgeville Emergency Medical Service, and such other public bodies or committees that interface with the police department on a regular basis.
11. Performs the duties of subordinate personnel as needed.
12. Carries out all the responsibilities of the Chief of Police in the Chief's absence when assigned and as directed.
13. Plans, directs, oversees, and supervises all criminal investigations.
14. Establishes and leads an investigation team for all major criminal cases, especially those involving violent crimes against persons.
15. Establishes a system to ensure accurate and timely dictation, typing, reviewing, filing, and follow-up of all cases requiring written reports.

16. Establishes a system to identify, record, and maintain the in-car video camera videotapes for the required period of time.
17. Maintains liaison with community groups as identified and approved by the Chief of Police.
18. Plans, coordinates, and maintains the police department property room and designated evidence storage areas. Develops and manages a system designed to ensure an appropriate chain of custody of evidence, disposes of found property, and manages all confiscated property seized by members of the department.
19. Assists in the completion of police officer selection and promotional processes, at the direction of the Police and Fire Commission. This includes advertising, screening applications, setting up the written exams, setting up interviews with the Police and Fire Commission, making appointments for medical exams and psychiatric exams, and completing background checks.
20. Reviews and administers the policies related to investigations, arrests, prisoners, and tactical situations. The policies assigned include but are not limited to the following: Alcohol Enforcement, Arrest, Bomb Threats, Civil Conflicts, Domestic, Evidence, Hiring, Information Release, Informants, Investigations, Juvenile, Motor Vehicle Inventory, Operating Motor Vehicle While Intoxicated, Parking Enforcement, Property, Prisoner, Search and Seizure, Tactical and such other policies as assigned.
21. Maintains and establishes a relationship with the District Attorney's office, the City Attorney, personnel assigned to investigations from other area criminal justice agencies, the local group home(s), and such other agencies as assigned by the Chief of Police.
22. Performs other duties as requested or as needed.

#### **REQUIRED KNOWLEDGE, SKILLS AND ABILITIES:**

Knowledge of accepted principles and practices of police administration; knowledge of personnel and human resources management; knowledge of collective bargaining and employee relations; software applications and other methods of collating, collecting, and analyzing information; knowledge of community-oriented policing, law enforcement accreditation, strategic planning, and quality improvement; knowledge of internal affairs functions; knowledge of day-to-day police operations and knowledge of subordinate staff duties and responsibilities.

Skill to organize, control, and direct the personnel and resources of the department in all aspects, especially related to the investigation of criminal offenses. Skill to counsel, guide and lead supervisors and patrol officers in handling various police situations; display outstanding writing skills, with a corresponding ability to compose comprehensive written narrative reports, proposals, letters, research papers, policies and procedures, memos and other written documents; skill to serve as the primary spokesperson with the news media; must demonstrate excellent problem-solving skills; skill to develop, administer and evaluate the department's various jobs/positions, for task analysis, classification, and job descriptions; and skill to implement and monitor the department's mission and vision.

Ability to administer the collective bargaining grievance procedure; complete evaluations for supervisory officers and business office manager; ability to maintain the department's employee counseling/coaching function; ability to develop, implement and evaluate remedial, specialized, in-service and advanced training programs, ability to take disciplinary action concerning officer/employee conduct; ability to ensure that service delivery is maintained through establishing rules and regulations, policies and procedures, rules of conduct and other written directives; ability to develop policies and procedures, special orders, general orders, memorandums, rules and regulations and other written directives for efficient operation of the department; ability to implement and monitor the department's goals and objectives resulting from strategic planning; ability to display excellent public speaking skills with a corresponding ability to articulate appropriate viewpoints of the department; ability to represent the department to residents, businesses, social agencies, criminal justice agencies and other groups; ability to direct the preparation of a comprehensive general plan for the emergency preparedness of the City; and the ability to work with technical independence and considerable latitude in the exercise of independent judgment in the management and operation of the department.

Solve practical problems with a variety of variables with limited standardization; interpret instructions. Arithmetic calculations involving fractions, decimals, and percentages.

Thorough knowledge of modern law enforcement principles, procedures, techniques, and equipment; considerable knowledge of applicable laws, ordinances, and department rules and regulations; extensive knowledge of City's geography.

Skill in operation of listed tools and equipment.

Ability to report, write, or edit articles for publication, prepare and deliver lectures; interview, counsel, or advise people; evaluate technical data. Ability to communicate effectively, verbally or in writing, with suppliers/vendors, the general public, community or trade/professional organizations, federal/state governmental or regulatory agencies. Employee will be familiar with details of job to do it reasonably well within 2 years.

#### **TOOLS AND EQUIPMENT USED:**

Police car, police radios, handgun, rifle, shotgun, baton, handcuffs, pepper mace, personal computer including a variety of software packages, and telephones.

#### **CONFIDENTIAL DATA:**

This employee may be exposed to all police records. Confidential data includes all police records. A few examples of these records are as follows: criminal records, requests for services, traffic information; domestic abuse complaints, child abuse complaints, employee personnel files and all written and computerized records. There are legal and internal controls on the release of any information from the Police Department.

#### **ESSENTIAL PHYSICAL JOB REQUIREMENTS:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The employee must occasionally lift and/or move more than 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

In addition, the Dodgeville Police and Fire Commission adopted the following physical demands for all sworn police officers: standing, walking, sitting, lifting/carrying (Max. an injured or ill individual), pushing, pulling, pulling hand-over-hand, climbing stairs, stooping, kneeling, repeated bending, crawling, reaching high/low/level, finger movement/repetitive, repetitive twisting or pressure involving wrists or hands, both hands required, both legs required, ability for rapid mental/muscular coordination simultaneously, oral communication - ability to speak clearly in English, hearing/conversation, near/far visual requirements, depth perception, color vision: distinguish basic shades, color vision: distinguish basic colors, operation of a police vehicle.

#### **ACCEPTABLE EXPERIENCE AND QUALIFICATIONS:**

The following elements serve to identify the required acceptable experience and qualifications:

1. Criteria established by the Dodgeville Police and Fire Commission.
2. Wisconsin Law Enforcement Standards Board Law Enforcement Certification or ability to obtain.
3. At least five years of experience in the law enforcement field with at least one year of progressively responsible managerial and supervisory experience in a comparable agency that involved actual and demonstrated managerial, leadership, and supervisory level experiences.
4. At least a two-year Degree from an accredited College.
5. Demonstrated proficiency in the conceptual knowledge of managerial and administrative principles and procedures as it relates to the overall administration of a law enforcement agency.

#### **STATEMENT OF WORKING CONDITIONS:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions. While performing the duties of this job, the employee occasionally works in outside weather conditions, near moving mechanical parts; in high, precarious places; and with explosives and is occasionally exposed to wet and/or humid conditions, fumes, or airborne particles, toxic or caustic chemicals, extreme cold, extreme heat, and vibrations. The noise level in the work environment is usually moderate.

**POSITION ACCOUNTABILITY:**

**REPORTS TO:** Chief of Police

**SUPERVISION EXERCISED:** Sworn Police supervisors and all other police employees.

**SELECTION GUIDELINES:**

The selection process is clearly outlined in the Police and Fire Commission's "Bylaws and Rules of Procedure". The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position. The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

Approval: \_\_\_\_\_

Chief of Police

Effective Date:04/16/2024

## DODGEVILLE POLICE DEPARTMENT JOB DESCRIPTION

### POLICE SERGEANT

**EXEMPT:** No

**UNION:** Yes

#### **GENERAL STATEMENT OF JOB:**

As part of the supervisory structure of the department a Sergeant performs first line supervisory tasks and a variety of routine and complex public safety work consisting of preventative patrol, community policing activities, criminal investigations, car crash investigations, enforcement of Federal and State Statutes, enforcement of Municipal Ordinances, first responder responsibilities, traffic control activities, provides emergency services in response to citizen requests and performs all other police functions within the City of Dodgeville. The Sergeant will be responsible for supervision when the Chief and Lieutenant are unavailable. The normal schedule for the Sergeant will be afternoon and evening shifts to cover times when no other supervision exists.

#### **EXAMPLES OF WORK PERFORMED:**

1. Performs all of the responsibilities of a police officer and empowers all police officers to carry out these responsibilities in an effective manner.
2. Supervises all Officers on their assigned shift by;
  - Reviewing and supervising all activities and reports that are completed or occur on the assigned shift; identifying and coordinating on-going investigative efforts closely with senior command officers;
  - Evaluating police officers assigned to his/her shift. Assists in policy implementation, disseminating new policies to assigned officers on a regular basis;
  - Assisting in personnel matters by: recommending approval or disapproval of police officer time off requests; scheduling necessary overtime;
3. Assisting with hiring new police officers; training all officers; participating in the FTO program for recruits and interns; acting as a role model for all police employees;
4. Fostering good relations with all employees; squelching rumors and providing accurate information to all employees. Coordinates the activities of the assigned shift with all other segments of the police department;
5. Supervising the use of police equipment including equipment records and arranges for the repair of equipment; scheduling the use of squad cars; keeping the workplace clean and in order; maintaining building security; locating misplaced equipment; ensuring police equipment is functional and available;
6. Identifies and proposes improvements. Follows department policies, procedures, rules, regulations and written directives. Carries out the legal orders of a superior. Performs other duties as requested or as needed.

**REQUIRED KNOWLEDGE, SKILLS AND ABILITIES:** Ability to supervise and train officers. Ability to write, interpret and explain policy. Solve practical problems involving a variety of variables and interpret instructions. The Sergeant will have knowledge of modern law enforcement principles, procedures, techniques, and equipment. The Sergeant will have skills in operation of listed tools and equipment. Ability to learn the



applicable laws, ordinances, and department rules and regulations; ability to perform work requiring good physical condition; ability to communicate effectively, verbally and in writing; ability to establish and maintain effective working relationship with subordinates, peers and supervisors; ability to exercise sound judgment in evaluating situations and in making decisions; ability to follow verbal and written instructions; ability to learn the City's geography. Employee will be familiar with details of job to do it reasonably well within 1 year.

**TOOLS AND EQUIPMENT USED:** Police car, police radios, radar, laser, handgun, rifle, shotgun, baton, handcuffs, pepper mace, electronic control device (Taser), first aid equipment, personal computer including a variety of software packages and telephones.

**CONFIDENTIAL DATA:**

This employee may have access to most police records. Confidential data includes police records. A few examples of these records are as follows: criminal records, requests for services, traffic information; juvenile records, domestic abuse complaints, child abuse complaints, employee personnel files and all written and computerized records. There are legal and internal controls on the release of any information from the Police Department.

**ESSENTIAL PHYSICAL JOB REQUIREMENTS:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. The employee must occasionally lift and/or move more than 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus and have sufficient vision to operate in low light situations. In addition, the Dodgeville Police and Fire Commission adopted the following physical demands for all sworn police officers: standing, walking, sitting, lifting/carrying (Max. an injured or ill individual), pushing, pulling, pulling hand-over-hand, climbing stairs, climbing - use of legs/arms, balancing, stooping, kneeling, repeated bending, crawling, reaching high/low/level, finger movement/repetitive, repetitive twisting or pressure involving wrists or hands, both hands required, both legs required, ability for rapid mental/muscular coordination simultaneously, oral communication - ability to speak clearly in English, hearing/conversation, near/far visual requirements, depth perception, color vision: distinguish basic shades of color: distinguish basic colors needed for the operation of a police vehicle.

**ACCEPTABLE EXPERIENCE AND QUALIFICATIONS:**

The following elements serve to identify the required acceptable experience and qualifications:

1. Criteria established by the Dodgeville Police and Fire Commission.
2. Two year Degree from an accredited College or a combination of post-secondary education and 10 years Law Enforcement experience.
3. Certification by the Wisconsin Law Enforcement Standards Board, or ability to obtain certification.
4. The City of Dodgeville will give preference to police officers having three years of sworn experience who are currently employed by the department.

**STATEMENT OF WORKING CONDITIONS:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties of this job, employee occasionally works in outside weather conditions, near moving mechanical parts; in high, precarious places; and with explosives and is occasionally exposed to wet and/or humid conditions, fumes, or airborne particles, toxic or caustic chemicals, extreme cold, extreme heat, and vibrations. The noise level in the work environment is usually moderate.

**POSITION ACCOUNTABILITY:**

**REPORTS TO:** Police Lieutenant and Chief of Police

**SUPERVISION EXERCISED:** subordinate Police Officers and community service officers.

**SELECTION GUIDELINES:**

The selection process is clearly outlined in the Police and Fire Commission's "Bylaws and Rules of Procedure". The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position. The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

Approval: \_\_\_\_\_

Chief of Police

Approved by: Mayor and Dodgeville Common Council on 12/02/2014

Effective Date: 12/02/2014

**City of Dodgeville**

**POLICE AND FIRE COMMISSION**

**By-Laws and Rules of Procedure**

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## ARTICLE 1: MISSION AND JURISDICTION

**1.1 Mission.** The mission of the City of Dodgeville Police and Fire Commission (“Commission”) shall be to provide citizen oversight of the Police and Fire Departments (“Departments”), Chief of Police and Fire Chief (“Chief”), and other sworn law enforcement officers and firefighters (“subordinates”) so that the Departments may protect and assist the people of the City of Dodgeville.

**1.2 Jurisdiction.** The Commission shall have the authority vested in it by Wis. Stat. §62.13 and Chapter 164 of the Wisconsin Statutes. These include the power to:

- a. Appoint the Chief and exercise the power to suspend or remove the Chief for cause;
- b. Approve the Chief’s appointment of “subordinates”;
- c. Adopt rules of procedure for the selection of subordinates, including their qualifications, provide for the competitive examination of applicants for subordinate positions, and establish certification lists of applicants for subordinate positions;
- d. Review and act on charges filed with the Commission Chair pursuant to Wis. Stat. § 62.13(5);
- e. Supervise reductions in the Departments in the event it is necessary to reduce the number of subordinates;
- f. Schedule a date, time, and place for its meetings subject to Wisconsin’s Open Meeting Law requirements; and
- g. Exercise other powers conferred upon the Commission by the Wisconsin Statutes or the City Ordinances.

**1.3 Scope of Rules.** These rules apply to the Chiefs and subordinates. Use of the words “Department,” “Chief,” and “subordinate” shall refer to both the police and fire departments, the police and fire chiefs, and sworn police officers and fire department employees engaged in fire suppression activities unless otherwise specified. The statutory Chair of the Commission shall be referred to in these By-laws as the “Chair.”

## ARTICLE 2: EMPLOYMENT QUALIFICATIONS AND ELIGIBILITY

**2.1 Qualifications of the Chiefs.** The Commission may appoint as Fire and Police Chief (Chiefs) a suitable person who need not be a member of the Department or a resident of the City. The Commission shall adopt a Job Description for the Chief. The Police Chief must establish residency within a fifteen (15) mile radius of the City’s jurisdictional limits within twelve (12) months of appointment. The Fire Chief must establish residency within the Fire Department’s service territory within twelve (12) months of appointment.

**2.2 Qualifications for Subordinate Positions.** The qualifications for subordinate positions shall be set forth in the Job Descriptions for each position. Before an individual may be appointed as an entry-level subordinate or promoted to a higher subordinate position, the individual must meet the minimum qualifications for the position as set forth in the job description for that position. ~~Subordinates must establish residency within a thirty (30) mile radius of the City's jurisdictional limits within six months of completion of probation unless otherwise prescribed in an applicable collective bargaining agreement. The Commission may waive or extend the time for compliance with the residency requirement on a case-by-case basis consistent with law and any collective bargaining agreement.~~

**2.3 Conviction Record History.** An applicant shall not be subject to a pending criminal charge if the circumstances of the charge substantially relate to the circumstances of the protective service position. An applicant shall not have been convicted of any felony, misdemeanor, or other offense the circumstances of which substantially relate to the circumstances of the applicant's position.

**2.4 Job Description Criteria.** Each police subordinate must meet the minimum criteria established by Wis. Stat. § 165.85, the Wisconsin Administrative Code Chapter LES 2, and the Law Enforcement Standards Board. Each subordinate must be able to perform the essential functions of the position with or without a reasonable accommodation. Each fire subordinate must complete the Entry Level ~~and Firefighter I Training~~ of the Wisconsin Vocational, Technical, and Adult Education within the probationary period.

## **2.6 Qualifications for Limited-Term and Part-Time Police Officers.**

The Department may, from time to time, employ individuals as subordinates on a limited-term or part-time basis, provided the Commission has authorized the position; the City has appropriated funds for it; the subordinate meets all minimum qualifications to be a subordinate, and the subordinate is not offered regular full-time work in the Department. A "part-time" officer is one who is regularly scheduled less than "full-time" as determined by City contracts, policy, and/or ordinance.

## **ARTICLE 3: RECRUITMENT, TESTING, AND HIRING**

**3.1 Chiefs.** The Commission shall appoint the Chiefs, who shall hold office during good behavior, subject to suspension or removal by the Commission for cause. The Commission shall, prior to commencement of recruitment, adopt a specific recruitment and examination procedure designed to assure the most qualified candidate is selected as Chief.

**3.2 Subordinates.** The Chiefs shall appoint all subordinates using the selection and promotion procedures in these By-Laws, subject to the Commission's approval.

## **3.3 General Processes for All Positions.**

The following processes apply to the hiring of all positions within the Commission's

jurisdiction. The Commission may forego or modify any of the examinations set forth in these By-laws whenever it determines such is in the best interest of the Department.

**a. Application for Subordinates.** For Police Department hiring, the Commission may utilize the Department of Justice form application (DJ-LE-330) or a form approved by the Commission. Notice of the time and place for the issuance of such forms shall be by any means that the Commission may direct. For Fire Department hiring, the Commission may utilize the City of Dodgeville's employment application or a form approved by the Commission. The Chiefs may waive this requirement with respect to promotions.

Applicants will be required to submit copies of the appropriate degrees or certifications for verification upon request.

Applicants will also be required to submit with the application a signed release authorizing the Department to conduct a background investigation.

**b. Equal Opportunity Policy.** The Commission will hire the most qualified applicant for a vacancy regardless of sex, race, religion, creed, color, national origin, age, disability, sexual orientation, ancestry, marital status, arrest or conviction record, military service, or any other legally protected status.

**c. Misrepresentation.** Misrepresentation of any material fact contained in the application shall be sufficient cause for excluding the applicant from the examination process, removing the applicant's name from the eligible list or discharging the employee.

**d. Insufficient Application.** If an application reveals that the applicant cannot meet the eligibility requirements or the qualifications of the position, that application shall be rejected by the Commission or its designee, without further examination.

**e. Terminated Employees.** Any person dismissed from the Department for performance issues or misconduct shall be ineligible to make application for appointment to any position in the Department for period of three (3) years from dismissal.

**f. Re-entry Applications.** Any former Department employee who desires to reapply shall undergo such examinations as determined by the Commission, except as provided in § 3.3(e).

**g. Delegation.** The Commission may authorize other public or private agencies to conduct the written examination and provide a certified list of those applicants successfully completing the examination.

**h. Position Description.** The Commission shall approve position descriptions for every subordinate position. The description shall include the position title or classification; a brief description of the position; the basic or minimum qualifications



to be considered for employment in the position; the level or type of supervision received by the subordinate; who the subordinate is responsible to; the type or level of independent judgment used by the subordinate when performing tasks; the essential functions performed by the subordinate in the position; other duties that may not be essential but are typically undertaken by the subordinate in the position; basic abilities and knowledge the subordinate will need to perform adequately in the position; the type of equipment used by the subordinate; the location and environment in which the job is usually undertaken; any special environmental or physical requirement the subordinate may encounter. All position descriptions shall be reviewed and, as necessary, revised regularly.

**i. Eligibility for Examination.** Examinations shall be open only to those persons who are eligible for appointment and who possess the requisite qualifications in conformity with the provisions of these By-laws. Each application shall be screened for completeness. Those applications meeting the minimum requirements shall be forwarded for examination. The Commission may return an application to an applicant for correction or completion.

**j. Examination Protocol.** All examinations shall be carried out under the Commission's supervision. The Commission may designate any suitable municipality, state agency, or person to conduct or assist in conducting the examinations. The Commission may use the assistance of the Department, including the Chief, the City Administrator, outside consultants, and citizens, as appropriate, in carrying out the Commission's duties, provided that the final selection of a Chief and the creation of a Certified List is approved by the Commission.

All examinations shall comply with the following protocol:

1. The examination shall be an assessment process that fairly tests the capacity of the applicants to successfully perform the duties of the position;
2. Any applicant who fails to pass a pass/fail examination shall be removed from the process at that point and denied the opportunity to participate in further examinations;
3. Each stage of the examination process shall be administered the same for all applicants eligible for that stage, except for those applicants who are provided with a reasonable accommodation in the examination process as a result of a disability or other recognized exception.
4. The Commission shall establish the criteria used to assess whether applicants pass an examination prior to the examination;
5. Reasonable accommodations shall be made for an applicant with a disability under federal or state law for any examination. Application forms shall advise applicants of this right.
6. Each applicant taking an examination shall follow the instructions given by the person conducting the examination; and

7. Information relative to applicants' scores shall be strictly confidential and shall not be divulged, except insofar as disclosure is required by law, necessary to determine those applicants eligible for additional testing, is permitted by these By-laws, or, if deemed necessary by the Commission, for a purpose related to administration of the selection process.

8. Applicants, Commission members, or Department employees shall not give any material assistance to any applicant in any manner during the examination process. A violation of this rule shall subject each applicant involved to exclusion from the examination. Any Commission member or Department employee who violates this rule shall be subject to appropriate sanctions.

9. No applicant shall be given a second or special competitive test in connection with any examination held, unless it is shown to the Commission's satisfaction that the applicant's failure to take or complete the test was due to a manifest error or mistake for which the Commission or its designated assistants are responsible. The Commission may, in the interest of fairness, void the examination and retest all applicants.

10. The Commission shall apply the appropriate veteran's preference points as provided by Wis. Stat. § 62.13(4)(d) and § 230.16(7).

a. For a veteran, that 10 points shall be added to his or her grade.

b. For a disabled veteran, that 15 points shall be added to his or her grade.

c. For a disabled veteran whose disability is at least 30 percent, that 20 points shall be added to his or her grade.

d. For the spouse of a disabled veteran whose disability is at least 70 percent, that 10 points shall be added to the spouse's grade.

e. For the unremarried spouse of a veteran who was killed in action, that 10 points shall be added to the spouse's grade.

f. For the unremarried spouse of a veteran who died of a service-connected disability, that 10 points shall be added to the spouse's grade.

Are the 10 points given on a test? For example if someone failed a test or portion of atst by less than 10 points would the 10 points bump them into a pass status?

11. Documents generated during the examinations shall be retained by the Commission or its designated representative for seven years after the expiration of the eligibility list for which the examination was held.

12. A candidate for employment previously rejected by a medical examiner shall not take the examinations provided for in these rules until a certificate from a medical examiner shows that the cause for rejection has been corrected or that some reasonable accommodation of the condition has become available.

### **3.4 Hiring Process for Entry-Level Subordinates.**

3.41. The Chief shall secure approval from the Commission prior to taking steps to fill a vacancy for full-time entry-level subordinates or volunteer firefighters. The

Commission shall also approve a job description for a vacancy or a newly created position authorized to be filled.

3.42. A Department vacancy or opening shall be filled by an open recruitment, unless otherwise approved by the Commission.

3.43 The Chief shall announce the Department's intent to fill a vacancy or opening by posting or advertising such opening for a period of not less than ten (10) calendar days, unless otherwise determined by the Commission, on WILENET, the City website and/or any other medium determined appropriate by the Chief for which funds are available for such advertising.

The job posting shall contain at least the following information:

- a. Title of the position;
- b. Hourly wage or salary;
- c. Concise description of job duties;
- d. Education, training, and work experience required;
- e. Where to obtain, the closing date for applications and where to file; and,
- f. An Equal Opportunity statement.

3.44 Applicants for the position shall apply for an announced vacancy or open position on an application conforming to Section 3.3(a), which will, at a minimum, seek disclosure of such information as will inform the Chief that the applicant possesses the minimum qualifications for the announced position.

3.45. Applications shall be filed as directed on the application materials no later than the time set forth in the job announcement.

3.46. The application will be reviewed to determine whether all applications have been timely submitted by the deadline established in the job announcement, whether each application has been completely filled out pursuant to the application's instructions, and whether the applicant meets the minimum qualifications for the announced position. Applicants who did not fill out the application appropriately or who do not meet the minimum qualifications for the announced position shall be removed from the process and the Chief shall send them a letter informing them of their status.

3.47. No person shall be eligible for appointment as a subordinate unless that person has been examined pursuant to the requirements of this section. The Commission shall hold or authorize the holding of examinations for appointment as subordinate, and shall fix the date, place, and conditions whenever necessary to meet the needs of the Department.

3.48 The examination shall be a multi-stage assessment process that fairly tests the capacity of the applicants to successfully perform the positions they seek. The examination

may consist of the following stages to be determined by the Commission prior to the commencement of the hiring process, including the order of each stage. Any applicant who fails to pass any examination shall be removed from the process at that point and denied the opportunity to participate in further examinations.

**a. Written examination.** Police applicants may be tested using a suitable written law enforcement recruitment exam such as the standard promotional test or some similar, validated instrument. The Commission shall establish a passing score prior to commencement of recruitment. **These tests include math, writing, comprehension, etc. The cumulative overall section score(s) determine a pass/fail with a passing average being 70%.** Fire applicants may be tested using a test approved by the Commission and the Commission shall establish a passing score prior to commencement of recruitment.

**b. Oral Examination.** Applicants shall undergo an oral examination to evaluate the applicant's demeanor, character, personality, communication skills and ability of an entry-level subordinate. The Commission will determine the composition of the oral examination panel. The following criteria will be applied to all oral examination:

1. All applicants shall be asked the same questions other than follow-up questions;
2. Questions shall be work-related and designed to measure job knowledge, experience, and education, and to solicit responses that reflect personal qualities that are work-related;
3. Questions shall be designed so as to not lead to the disclosure by an applicant of any protected status (e.g., age or disability);
4. The interview panel will be provided in advance with a copy of the position description, application materials for each applicant, and interview questions.
5. The same interview panel will interview all applicants interviewed for the posted position;
6. The interview panel will independently rank the applicants at the conclusion of the interviews and develop an average ranking for submission to the Chief and Commission. The method of ranking will be determined by the Commission prior to the recruitment process; and
7. The Chief may sit in on the interviews but shall not participate in them.
8. The Chief may conduct a personal interview with applicants prior to certification by the Commission and/or commencement of a character investigation.

c. **Character Investigation.** A character investigation shall be conducted to determine whether the applicant possesses any disqualifying criminal record or specific disqualifying personal history, all of which shall relate specifically to qualifications of the position involved. For police subordinates, “good character” shall be determined from a written report containing the information required by the Department of Justice. This investigation can take place following the creation of a certification list by the Commission provided any offer of employment be conditioned upon an acceptable character investigation.

d. **Physical and Other Examinations.** Other examinations as deemed warranted by the Chiefs and approved by the Commission in the case of individual position selections, including physical strength and agility, provided, however, that the determination of which examinations are to be required is made prior to commencement of recruitment and is applied to all applicants for a position. **Police physical testing requirements include the following examination criteria and passing standards.**

1. 1-mile run- Completed within 12 minutes or less.
2. 25 sit-ups- Completed in 1 minute or less.
3. 15 Pushups- Completed in 2 minutes or less. Applicant may not go to their knees during testing.
4. 100-yard obstacle course including 80-yard run through obstacles, and 20-yard drag of a rescue mannequin. Completed in 65 seconds or less.

### 3.5 Certified List.

a. The Chief may only appoint an entry-level subordinate from a list of applicants who have completed the examinations and have been certified by the Commission as eligible for appointment for that examination process.

b. Upon the conclusion of examinations, the Commission shall review the results of those examinations according to the criteria established prior to the commencement of those examinations and prepare and certify a list that contains the names of applicants who have passed all necessary examinations and are eligible to be appointed if they successfully pass the character investigation and the medical and psychological examinations.

c. The Chief may conduct a personal interview with the certified applicants. The Chief may extend a conditional offer of employment as an entry-level subordinate to any of one the certified applicants. The offer shall be conditioned upon the applicant’s satisfactory completion of a medical and psychological examination and the character investigation. The Chief does not need to secure further Commission approval to extend an offer of employment to a certified applicant.

d. The certified list will expire twelve (12) months from the date of certification.

**3.6 Medical Examination.** Every person to whom a conditional offer of employment

has been made pursuant to Section 3.5 shall be examined by a physician licensed to practice medicine in Wisconsin or another Wisconsin-licensed medical professional approved by the Commission. The applicant shall complete a personal medical history, a copy of which is to be submitted to the examining medical professional. The examination shall be solely for the purpose of verifying that the candidate can meet the essential occupational requirements of the position, and to address those physical and health requirements that relate to the occupational qualifications for the position involved, or the nature of reasonable accommodations required to enable the applicant to meet these qualifications.

**3.7 Psychological and Personality Testing.** Upon successful completion of the medical examination, an applicant for a police department position and the Fire Chief who has received a conditional offer of employment shall undergo a psychological evaluation and personality inventory by a psychiatric social worker, psychologist, psychiatrist, or such other person designated by the Commission who has sufficient psychological expertise for the purpose of testing the applicant's psychological fitness for duty. The results of the exam will be maintained in a segregated, confidential, Department medical file.

## **ARTICLE 4: PROMOTIONS AND TRANSFERS WITHIN THE DEPARTMENT**

### **4.1 Promotions.**

a. The Chief may promote a subordinate in the Chief's discretion or through the hiring process set forth in Article 3 to establish an eligible list approved by the Commission. This Article does not apply to the position of Chief, which shall be open to qualified candidates from both inside and outside the Department.

b. The Chief shall initially determine whether to promote in the Chief's discretion without examination. If the Chief selects that option, the promotion must be approved by the Commission.

c. If the Chief determines to promote with examination, the promotional process shall be as follows:

- i. The Commission shall determine at the beginning of each promotional process the number of internal applicants who can potentially be certified for promotion to determine whether the position should be filled internally or should be extended to include external applicants.
- ii. Consistent with the established position description for a vacant position, specific criteria for promotional eligibility will be established by the Commission prior to the beginning of the selection process.
- iii. Notice of the promotional opportunity and the scheduling of promotional examinations shall be authorized by the Commission. Appropriate notice to subordinates of the promotional opportunity

shall be posted on the Department bulletin board by the Chief. The notice of the promotional opportunity shall be posted at the time the requirements are posted. That posting will be at least ten days prior to the beginning of the process.

- iv. All qualified subordinates desiring to compete shall apply using a written application for promotion developed by the Commission.
- v. The promotion examination shall consist of an appropriate examination in accordance with Article 3.

#### **4.2 Transfer.**

a. Movement of a subordinate from one position to another within the same pay scale is a transfer. The Chief may transfer a subordinate without Commission approval provided the transfer does not violate any collective bargaining agreement.

b. Transfers may be made with or without the consent of the personnel involved.

c. The Chief will advise the Commission of all transfers at the next regular Commission meeting. Transfers are not to be considered appointments.

#### **4.3 Acting Chief or Supervisory Officers.**

a. The Commission may appoint a subordinate officer as a temporary acting Chief in the event the Chief retires, resigns, or is temporarily unable to fulfill the Chief's duties.

b. The Chief, only after receiving Commission approval, may appoint a subordinate officer as a temporary acting supervisory officer if one of those supervisory officers retires, resigns, or is temporarily unable to fulfill their duties.

c. Temporary acting appointments under this subsection shall be for a period not to exceed six months, except that the Commission, in its discretion, may extend the temporary acting appointment for an additional three-month period(s), or to a date or event certain within an additional three-month period.

### **ARTICLE 5: PROBATIONARY PERIOD**

#### **5.1 Probation.**

a. All appointees, except the Chief, shall serve a probationary period. Police Lieutenants shall serve a six (6) month probationary period from the date of appointment. Police subordinates shall serve a probationary period consistent with the applicable collective bargaining agreement. Firefighters shall serve a twelve (12) month probationary period from the date of hire. When on probation:

- 1. The subordinate has no expectation of continued employment, nor any contractual or other vested property right in employment;

2. The subordinate may be terminated at any time for any reason in the sole discretion of the Chief;

3. The subordinate is not entitled to any showing of cause for termination; and

4. The subordinate is not accorded any formal hearing rights of any kind other than those that are necessary to meet constitutional requirements or those specified in Chapter 164 of the Wisconsin Statutes.

b. If during the probationary period, the appointed subordinate proves unsatisfactory in the position, the Chief may terminate the subordinate's employment. Promoted probationary subordinates may be terminated or demoted consistent with Wis. Stat. §62.13(5).

c. A dismissed or demoted probationary subordinate is not entitled to an appeal to the Commission, a grievance hearing, or a hearing pursuant to Wis. Stat. §62.13(5) except as permitted by the applicable collective bargaining agreement or law.

d. The Chief may extend the probationary period in the Chief's discretion and consistent with any applicable collective bargaining agreement, however, the period may not be extended beyond twenty-four (24) months without Commission approval.

## **ARTICLE 6: DISCIPLINE, SUSPENSION, REDUCTION OR DEMOTION**

### **6.1 Suspension or Discharge of the Chiefs.**

a. Investigatory Suspension. The Commission may suspend the Chief upon its own initiative or pending the investigation of written charges made by a citizen that have been filed with the Commission. The suspension shall be with pay and benefits and shall be for the shortest reasonable duration within which the charges may be investigated and resolved.

b. The Commission may suspend, demote, suspend, and demote or terminate the Chief for cause shown pursuant to the filing of charges pursuant to Wis. Stat. §62.13(5).

c. The Chief shall be notified in writing of the filed charges filed and the hearing on such charges shall be as set forth in Article 7 to the extent they apply to the Chief.

### **6.2 Discipline, Demotion, Suspension and Termination of Subordinates**

a. The Chief may discipline a subordinate subject to the terms of any applicable collective bargaining agreement. The Commission may review any disciplinary action taken or approved by the Chief if the disciplined subordinate request such a review.

b. The Chief may suspend a subordinate and must report such suspension to the Commission Chair, who must confidentially advise the remaining Commissioners. The report should include the subordinate's name, a brief cause for discipline, and what the discipline consists of. A suspended subordinate may request in writing that the Chief file charges with the Commission to support such suspension, and upon receipt of such request, the Chief must file those charges within seven (7) calendar days.



c. The Commission may order the suspension, demotion, or termination of a subordinate for just cause pursuant to the filing of charges against the subordinate under Wis. Stat. §62.13(5).

## **ARTICLE 7: HEARING PROCEDURE FOR COMMISSION DELIBERATIONS ON DISCIPLINE, SUSPENSION, DEMOTION OR CHARGES**

### **7.1 Filing Charges and Preliminary Meeting.**

#### **a. Filing Charges**

The Chief, a Commission member, the Commission, or any aggrieved person may file charges against the Chief and/or a subordinate officer and shall be notified of this right upon making a complaint. No offer of reduction of fines or agreement not to prosecute shall be offered to induce the complainant to not file or to withdraw filed charges. Charges shall be in writing. The Commission shall make a form available for filing charges, but charges need not be filed on the form. The charges shall include a statement, pursuant to Wis. Stat. § 66.0511(3), that “Whoever makes a false complaint regarding the conduct of a law enforcement officer is subject to a Class A forfeiture.” The Charges should be filed with the Commission Chair. No person shall be deprived of compensation while suspended pending disposition of charges.

#### **b. Notice of Meeting**

The Commission shall set a date for a preliminary meeting not less than ten (10) days nor more than thirty (30) days following the date charges are filed with the Commission Chair.

#### **c. Preliminary meeting**

1. When charges against an officer or the Chief are filed with the Commission Chair, if the date of filing is more than ten (10) days prior to the next regular meeting, the Commission Chair shall call a special meeting of the Commission. Such a meeting shall be conducted in accordance with Wis. Stat. § 19.85, Stats. Should such filing be within ten (10) days of the next regular meeting, the subject matter shall be considered at the regular meeting.

2. Notice of such regular or special meeting shall be given in normal and customary manner, but not less than twenty-four (24) hours prior to the meeting. In addition, notice shall be given to the complainant and the accused. A copy of the charge shall be furnished along with the notice to the accused with explanation that delivery does not constitute formal service.

3. At the preliminary meeting, the Commission shall read and examine the charges to assure that the charges are sufficiently specific, related to police or fire duties, sufficient to warrant imposition of discipline within the scope of §62.13(5), and to avoid defamation of the accused.

4. The Commission shall also determine whether the accused should be suspended with pay pending the hearing on the charges.

5. The accused and the complainant and/or their attorneys may be heard. However, the preliminary meeting shall not hear or evaluate evidence. Upon request of the Commission Chair, the Commission's legal counsel shall attend such meeting and advise the Commission as to the proceedings.

6. If at the preliminary meeting the charges are found to be sufficient as to form and nature, the Commission shall recess its meeting and reconvene at a later date for purposes of conducting a formal evidentiary hearing pursuant to Wis. Stat. § 62.13(5). The Commission shall also make arrangements for service of the charges on the accused pursuant to § 62.13(5)(d).

7. Should the charges be found at the preliminary meeting to be insufficient as to form and nature, the charges shall be dismissed. If it appears that the defects in the charges may be cured by provision of additional detail or facts, the Commission may grant the complainant up to thirty (30) days in which to supplement the complaint.

8. If at the preliminary meeting the Commission concludes that even if the allegations are proven, the discipline would not reach the level of suspension, reduction-in-rank or termination, the Commission shall refer the complaint to the Chief for further handling as warranted or, if involving the Chief, shall determine whether lesser discipline is warranted.

## **7.2 Scheduling Conference**

a. If at the preliminary meeting the Commission concludes that the charges are sufficient to warrant an evidentiary hearing, the Commission shall conduct a scheduling conference to be held at least five (5) days before the hearing. The accused and the complainant shall be notified in writing of the date, time, and place of the pre-hearing conference.

b. The following matters shall be accomplished at the scheduling conference:

1. Prior to the scheduling conference, the accused party shall file with the Commission a written answer to the complaint which either shall be signed and verified by the accused party in the same manner that a complaint is to be verified, or alternatively may be signed by legal counsel appearing for the accused party. The Commission may attempt to obtain stipulations as to matters about which the parties agree. Matters which are stipulated need not be proven by the parties at the hearing.
2. A date established when witness lists and any prior written or recorded statements or reports of witnesses shall be exchanged by the parties and/or counsel;
3. A date established when exhibits, if any, shall be exchanged. Parties should exchange and file notice of any objections to such proposed exhibits not less than twenty-four (24) hours prior to

the scheduled commencement of evidentiary hearing. This notice of objection shall state concisely the grounds for objection but need not present argument or legal authority.

4. Witness or exhibits not submitted as required by the schedule established at the scheduling conference may be introduced at the hearing only if the Commission determines that there was a satisfactory or sufficient reason for such exclusion from the pre-hearing conference.
5. Establish the course of any discovery. Discovery shall be allowed using the procedures established by Wisconsin Statutes Chapter 804. No formal or compulsory discovery shall commence prior to the scheduling conference. No discovery may be made of the accused party. The Commission may restrict discovery as justice requires.

c. If neither the complainant nor the complainant's counsel appears at the scheduling conference, the Commission shall dismiss the charges unless a satisfactory reason for the nonappearance is provided in writing within two (2) days of notification of the parties of the dismissal. Such dismissal shall be documented in writing to each of the parties and/or counsel within two (2) days of such dismissal. If the accused or designated counsel does not appear, and no satisfactory reason for non-appearance is provided, the Commission may impose sanctions prohibiting the introduction of exhibits or witnesses on behalf of the accused and reimbursing other parties (including the Commission) for expenses incurred in attending the scheduling conference.

**7.3 Hearing on Charges.** A public evidentiary hearing with respect to the charges may be held at regular or special meetings of the Commission at such time as shall be determined by the Commission. Hearing procedures are as follows:

a. Hearings shall be open to the public, except that the Commission may deliberate in closed session. The Commission's vote following deliberations will take place in closed session unless the accused requests that the vote take place in open session.

b. The accused and the complainant shall be entitled to representation by counsel. An attorney appointed by the Commission shall serve as counsel for and advise the Commission on specific matters, its hearing procedures, the merits of alleged infractions of department rules and its determinations, and the rendering of advice as requested by the Commission or the Chief. Attendance at meetings by the attorney shall be at the direction of the Commission. The Commission shall designate an attorney to serve as prosecuting counsel for all charges filed by the Chief. Complainant citizens shall prosecute their complaints before the Commission either by themselves or by counsel they retain at their own expense.

c. All testimony of witnesses shall be under oath in the form and manner provided by Ch. 887, Stats.

d. At the hearing, the order shall be as follows:

1. Reading of the charges by the Secretary;

2. Testimony and introduction of evidence by the complainant to substantiate the charges with right of cross-examination by the accused. A complainant shall not be permitted to call the accused adversely, but may cross-examine the accused when the accused becomes a witness voluntarily.
3. Testimony and introduction of evidence by the accused with right of cross-examination by the complainant;
4. Complainant's arguments; and
5. Accused's arguments

Commissioners may question any witness after the parties have completed all direct and cross-examination. The parties may ask follow-up questions based upon the Commission questions. Before the witness is excused, commissioners may briefly confer to identify areas of interest for further inquiry. Questions on behalf of the Commission will be posed by the Commission's legal counsel and the parties may state objections to the Commission's questions.

The Commission may permit written briefs or memoranda following the conclusion of testimony in lieu of closing statements or oral arguments, formally continuing hearing for the receipt of the briefs or memoranda and for deliberations, and shall then issue a written decision as soon as possible following receipt of final briefs or memoranda.

**e. Disciplinary Standard.** No subordinate may be suspended and/or reduced-in-rank, or removed by the Commission based on charges filed by the Commission, the Chief or any aggrieved person unless the Commission determines that there is just cause to sustain the charges. In making its determination, the Commission shall apply the following just cause standards, to the extent applicable, as required by Wis. Stat. § 62.13(5)(em):

1. Whether the subordinate could reasonably be expected to have had knowledge of the probable consequences of the alleged conduct;
2. Whether the rule or order that the subordinate allegedly violated is reasonable;
3. Whether the Chief, before filing the charge against the subordinate, made a reasonable effort to discover whether the subordinate did in fact violate a rule or order;
4. Whether the effort described under subsection 3 was fair and objective;
5. Whether the Chief discovered substantial evidence that the subordinate violated the rule or order as described in the charges filed against the subordinate;

6. Whether the Chief is applying the rule or order fairly, and without discrimination against the subordinate; and
7. Whether the proposed discipline reasonably relates to the seriousness of the alleged violation and to the subordinate's record of service with the Chief's department.

**f. Decision of the Commission**

1. The Commission shall carry out its decision in conformity with Wis. Stat. § 62.13 (5)(e). If the Commission finds the charges are not sustained, the accused shall be immediately reinstated and all lost pay restored. If the Commission determines that the charges are sustained, the accused, by order of the Commission, may be suspended or reduced-in-rank and/or removed, as the good of the service may require.

2. The decision and findings of the Commission shall be in writing and shall be filed with the Commission Secretary within three (3) days of the hearing.

3. The Secretary shall keep a record of each hearing, name and address of the accused and complainant, a brief description of the charges involved, and the final disposition of the case.

4. The Secretary shall also record for each case all other important data and dates concerning the case, such as the date of filing the notice to appear, date of service and to whom served, date of posting of notice of hearing, and the dates of hearings, continuances, and final determinations. All exhibits and documents involved in the hearing, including a transcript or recording of the proceedings, shall be filed with the Secretary.

**g. Appeal.** Any persons suspended or terminated after the Commission's hearing may appeal the Commission's order to the Circuit Court by serving written notice stating the grounds upon which the appeal is based, to the Commission Secretary within ten (10) days after the order is filed. Within five (5) days of service, the Commission Secretary shall certify to the Clerk of Circuit Court the records of the proceedings, including all documents, testimony and minutes. After the taking of such appeal, the proceedings shall be governed by the provisions of Wis. Stats. § 62.13(5)(i).

**7.4 Administrative Matters.** The Commission shall adopt procedures in advance of any hearing further defining the following administrative details with respect to disposition of the charges filed with the Commission:

a. Set a preliminary meeting date within the time frame provided by the § 62.13(5)(d), not less than ten (10) days nor more than thirty (30) days after service of the charges on the Commission Chair;

b. Establish procedures for service of charges on the accused (by way of the Commission attorney or otherwise) and notice of hearing to be served in the same manner that a summons is served;

- c. Direct the retention of a court reporter or recording equipment for the hearing;
- d. Establish procedures for issuance of subpoenas by the Commission Chair and policy as to payment of witness fees;
- e. Direct the format of the public hearing and provide relevant information to the parties and their attorneys, if any;
- f. Issue any required notice of public hearing; and
- g. In the event the parties reach agreement prior to the scheduled hearing and have expressed an interest in canceling the hearing, such cancellation requires the concurrence of the Commission Chair or designee.

### **7.5 Hearing Examiner.**

- a. The Commission may engage a Hearing Examiner to conduct the Initial Hearing and the continuing evidentiary hearings.
- b. The Hearing Examiner shall conduct and preside at proceedings in conformity with these rules and in consultation with Commission counsel. References to the Commission in this rule shall be construed to refer to a Hearing Examiner as context requires.
- c. All evidentiary proceedings conducted by a Hearing Examiners shall be videotaped and a certified transcript shall be prepared.
- d. Promptly following completion of the evidentiary proceedings and receipt of briefs, the Hearing Examiner shall forward the complete record to the Commission and shall prepare a comprehensive report including an evaluation of witness credibility and demeanor for review by the Commission and including the recommendations of the Hearing Examiner regarding disposition of the charges. The report of the Hearing Examiner shall be included in the record of Commission proceedings.
- e. Promptly following receipt of the Hearing Examiner's report the Commission shall convene for deliberations. The Commission may require further proceeding before the Hearing Examiner or before the Commission. Following the close of any such further proceedings and deliberations the Commission shall issue its decision in the matter.

## **ARTICLE 8: LAYOFFS AND REEMPLOYMENT**

**8.1 Layoffs.** When it becomes necessary because of need for economy, lack of work or funds or for other good cause to reduce the number of subordinates, emergency, special temporary, part-time, or provisional subordinates shall be laid off first. Thereafter, subordinates shall be laid off in the order of the shortest length of service in the Department or as set forth in the applicable collective bargaining agreement. Those with identical seniority shall be laid off in order of least ability to serve as determined by the Commission.

**8.2 Reemployment.** The name of a subordinate laid off shall be retained on an eligible reemployment list for a period of two (2) years after the date of the layoff. If any vacancies occur,

or if the number of subordinates is increased in the Department, the vacancies or new positions shall be filled by persons on re-employment list in the inverse order of the layoffs.

## ARTICLE 9: COMMISSION ADMINISTRATION

**9.1 Meetings.** The Commission shall meet as necessary to meet its statutory obligations but no less than one time per year. The meetings shall be held in the City Hall or any other designated place selected by the Commission within the City of Dodgeville. *At a minimum, the commission will meet on the third Monday of January, April, July, and October. Notice of any regular meeting shall be given according to the relevant Wisconsin Statutes,*

**9.2 Officers.** The Commission shall annually elect from among its members a Chair, Vice-Chair, and Secretary. Should a permanent vacancy occur within the Commission officers, that vacancy will be filled by election at the next regularly scheduled meeting. *At the regular meeting in the month of July, the commission shall elect a member to act as Chair, Vice-Chair, and Secretary for a term of one year or until a successor is duly-elected. There shall be no limitation on the number of terms that an Officer serves but each term shall be for one year commencing from the July meeting. Appointees filling vacancies shall serve out the term of their predecessor.*

**9.3 Special Meetings.** All special meetings of the Commission shall be held at the place where the regular meetings are held, if possible. Special meetings may be called at any time by the Chair or by any two members, by causing a written notice of the special meeting to be personally delivered to each Commissioner. If a Commissioner cannot be found, notice may be delivered by leaving a written copy of the notice at the Commissioner's usual place of abode in the presence of a member of their family of suitable age and discretion.

**9.4 Quorum.** Three Commission members constitute a quorum in order to transact business. All Commission decisions shall be made by a majority vote of members present except as otherwise provided by these By-Laws.

**9.5 Order of Business.** The Commission's regular order of business shall be:

- a. Call to Order
- b. Roll call.
- c. Proof of compliance with Open Meetings Law.
- d. Approval of Agenda
- e. Consideration of the preceding meeting minutes.
- f. Consideration of communications from the Chiefs.
- g. Unfinished and miscellaneous business.
- h. New business.
- fi Citizen appearances.
- j. Adjournment

**9.6 Commission Chair Duties.** The Commission Chair shall preside over all Commission meetings and hearings. The Commission Chair shall receive written charges filed against the Chief or subordinates, and when necessary, may issue subpoenas to compel the attendance of witnesses in accordance with Chapter 885 of the Wisconsin Statutes.

**9.7 Vice Chair Duties.** In the event of the Commission Chair's absence or disability, the Vice Chair shall assume the duties of the Chair.

**9.8 Commission Secretary Duties.**

The Commission Secretary is responsible for the following duties, however, the Commission may delegate them to a City employee.

a. The Secretary shall receive appeals from action of the Chief, send out notices required by law, ordinance, these By-Laws, or as requested by the Commission, make official publications as may be necessary, attend all Commission meetings and hearings, provide for the taking and recording of testimony and other evidence received at hearings, preserve the evidence in a permanent record, and certify the record to the Circuit Court when required by law.

b. The Secretary shall keep a minute book, showing all important facts pertaining to each meeting and hearing. The minutes of each meeting and hearing shall be signed by the Secretary and approved by the Commission. A copy of the unapproved minutes shall be provided each Commission member and the Chief as soon after each meeting as is possible.

c. After the minutes are approved by the Commission, one copy shall also be filed with the **City Clerk or their designee**.

d. The Secretary at the direction of the Commission Chair may conduct correspondence on behalf of the Commission. Any Commission member designated by the Commission Chair may also conduct correspondence on the Commission's behalf.

**ARTICLE 10: CONSTRUCTION OF BY-LAWS**

**10.1 Federal or State Law.** Should any Federal or State law or regulations, or the final decision of any court of competent jurisdiction affect any provision of these By-Laws, the provision or provisions affected shall be deemed to be amended to conform to the law, regulation or decision. These By-Laws shall be construed to be consistent with the requirements of Federal and State law.

**10.2 Repeal of Rules.** These rules shall not be repealed, amended or modified except by majority action of the Commission at a Commission meeting.

**10.3 Severability.** In the event any portion of these By-Laws is found to be invalid, the remaining portion shall stand.