

## Chapter 102

### OFFICERS AND EMPLOYEES

[HISTORY: Adopted by the Town Board of the Town of Troy as indicated in article histories. Amendments noted where applicable.]

#### ARTICLE I

##### Constables

[Adopted 4-14-2003 by Ord. No. 03-01]

##### § 102-1. Title; purpose.

This article is titled the "Town of Troy Town Constable Ordinance." The purpose of this article is to define the jurisdiction and set forth duties of the Town Constables.

##### § 102-2. Number of Constables; authority.

A. The Town Meeting of the Town of Troy pursuant to § 60.10, Wis. Stats., has established the number of Town Constables of the Town of Troy at three.

B. The Town Board of the Town of Troy has specific statutory authority, powers and duties, pursuant to § 60.22(4) Wis. Stats., to determine the jurisdiction, powers and duties of Town Constables.

##### § 102-3. Intent.

The Town Board of the Town of Troy has, by adoption of this article, confirmed the statutory authority, powers and duties noted above in Ch. 60, Wis. Stats., and establishes herein, pursuant to that chapter and this article, the powers and duties of the Town Constable of the Town of Troy.

##### § 102-4. Jurisdiction, powers and duties.

A. The Town Constables of the Town of Troy shall have the following jurisdiction, powers and duties:

(1) To issue citations for violations of those Town ordinances designated for enforcement by the Constables in Chapter 39, Citations, of this Code, as amended from time to time.

(2) To respond in a measured and appropriate fashion to calls concerning unconfined animals running at large on highways in the Town.

(3) To maintain a presence in and around Town parks, beaches and boat landings and to call the St. Croix County Sheriff to address situations where law enforcement services are required.

B. Town Constables do not have the powers of law enforcement officers and shall not undertake law enforcement activities on behalf of the Town. Town Constables do not have the powers of humane officers and shall not undertake such activities on behalf of the Town.

C. Except as otherwise set forth herein regarding dogs and cats, Town Constables shall take into custody only those abandoned or stray animals that are found at large on the highways in the Town and shall deliver them immediately to a humane officer under contract with the Town, to a law enforcement officer or to a pound.

(1) Town Constables are authorized to take abandoned or stray dogs and cats into custody wherever they are found in the Town. All such dogs and cats shall be promptly delivered to a humane officer under contract with the Town, to a law enforcement officer or to a pound.

(2) Dogs running at large shall be considered to be abandoned or strays where they are off of their owner's premises and not under the control of the owner or some other person who can be fairly considered an agent of the owner for the purpose of controlling the dog. Dogs engaged in legal hunting or training activity on land open for hunting or on which the person with control of the dog has permission to be for such purposes and that are being monitored or supervised by a person present with the dogs are not considered to be running at large, abandoned or stray dogs.

D. Town Constables are not authorized to harm or destroy dogs unless threatened with serious bodily harm by the dog, immediate action is necessary and other restraining actions have been tried and have failed.

E. The Town Constable shall cause to be enforced and prosecuted all violations of the following Town ordinances of which he or she has knowledge or reliable information: Chapter 120, River Access (parking, launch stickers, etc.); Chapter 109, Article I, Glover Park (hunting, littering, alcohol, hours, etc.); Chapter 156, Article II, Parking Restrictions (truck parking on designated Town roads); Chapter 8, Article I, Dogs (at large, excessive barking, licenses, etc.); and Chapter 85, Littering (dumping along Town roads).

§ 102-5. Article not exclusive.

A. Other ordinances. Adoption of this article does not preclude the Town Board from adopting any other ordinance or providing for the enforcement of any ordinance relating to the same or other matter in a different or additional way.

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