

Chapter 2.48

THE MARINE LAW ENFORCEMENT DIVISION OF THE TOWN OF BURLINGTON POLICE DEPARTMENT

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2.48.010 Purpose.

The purpose of the marine law enforcement division of the town of Burlington police department is to police and ensure the safety and enjoyment of Browns and Bohners Lake within the town of Burlington. Prior to enactment of this ordinance, the marine law enforcement division of the town of Burlington police department was under the auspices of the town of Burlington police department. The further purpose of this ordinance is to give autonomy to the marine law enforcement division of the town of Burlington police department. (Ord. dated 7/28/05 (part))

2.48.020 Membership.

A. The marine law enforcement division of the town of Burlington police department shall consist of the chief and as many officers as may from time to time be employed by the town.

B. Chief. A vacancy in the office of the chief shall be filled by the police and fire commission. The chief may be, but is not required to be, appointed from current officers of the marine law enforcement division of the town of Burlington police department.

C. Application. Any person desiring to be a member of the marine law enforcement division of the town of Burlington police

department may file with the Burlington police and fire commission an application in such form as the commission may require. Each applicant shall also submit any such further documents as the commission may require in its review of potential applicants. The number of persons in the marine law enforcement division of the town of Burlington police department shall, however, be established by the Town, in conjunction with the police and fire commission, and based upon the recommendations of the chief. (Ord. dated 7/28/05 (part))

2.48.030 Powers and duties of chief.

A. The chief shall have general supervision of the marine law enforcement division of the town of Burlington, subject to this chapter and any bylaws of the department, and shall be responsible for the personnel and general efficiency of the department.

B. The chief shall preside at all meetings of the department, call special meetings, prescribe order, decide all points of order that may arise and enforce a rigid observance of this chapter and the bylaws.

C. The chief shall have the power to engage in minor (verbal) discipline to maintain morale and order within the division. However, major discipline, entailing discipline which will be included in an officer's personnel file or termination of an officer shall be conducted by the town police and fire commission. The chief may file a complaint against an officer with the commission as he or she deems appropriate under the circumstances.

D. Not later than October 15th of each year, the chief shall file with the town clerk a detailed estimate of the appropriations needed for the conduct of the department during the ensuing fiscal year.

E. The chief shall submit a written report to the town board not later than April

1st of each year, and at such other times as the chief deems desirable, related to the condition of the equipment of the department, the activity of the department over the previous year, and any other information deemed necessary to advise the town board of the state of the department.

F. The chief shall enforce all town and state laws and regulations pertaining to the navigable waters of the town and state, and shall keep the citizens informed on water safety and the activities of the department.

G. The chief shall perform such other duties as are incumbent on the commanding officer of the marine law enforcement division of the town of Burlington police department. (Ord. dated 7/28/05 (part))

shall, upon conviction, be subject to a forfeiture of not less than fifty dollars (\$50.00) nor more than seven hundred fifty dollars (\$750.00) for any violation thereof with each day of violation constituting a separate offense. (Ord. dated 7/28/05 (part))

2.48.040 Police department power.

A. The chief and officers are vested with full and complete police authority on and over Browns Lake and Bohners Lake in the town of Burlington. Any officer of the department may enforce, issue citations, or cause the arrest of any person violating town and state laws related to the use of Browns Lake and Bohners Lake.

B. The chief and officers are charged with ensuring the safety of the two lakes in the town. To that extent, the chief and officers shall have the power to take any steps necessary to effectuate that purpose, including, but not limited to, regulating or prohibiting activities on the lakes, removal of impediments or other obstructions, buoys and moorings, and to otherwise take any other action necessary to maintain the safety of Browns Lake and Bohners Lake.

C. The town chief or officers may enter upon boats for the purposes of inspection and in the enforcement of town and state ordinances concerning boating. (Ord. dated 7/28/05 (part))

2.48.050 Violations--Penalties.

Any person, firm or corporation who shall violate any of the terms of this chapter