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## **TITLE 3. PUBLIC SAFETY COMMISSION**

### **Chapter 3.1. Public Safety Commission.**

#### **Section 3.1.1. Creation.** (Ord. 551)

There is hereby created and established in and for the City of Flandreau, South Dakota (City) a Public Safety Commission (Commission) for the purpose of advising the City and, in the event that the City has an agreement with the Flandreau Santee Sioux Tribe (FSST) to provide law enforcement services, the FSST in all community relation issues with the Flandreau Police Department.

#### **Section 3.1.2. Composition and Appointment.** (Ord. 551)

The Commission shall be composed of five (5) members, consisting of two (2) members of the Flandreau City Council, two (2) members of the FSST Executive Committee, and one (1) member from the community at large. No person employed by the City as a law enforcement officer, or any member of that person's immediate family, shall be a voting member of the Commission. For the purposes of this ordinance, immediate family shall be defined as a group of relations consisting of, but not limited to, the person's parents, spouses, siblings, children, grandparents, grandchildren, siblings-in-law, half-siblings, adopted children, step-parents, and step-children. The at-large commission appointment shall be made by the Mayor and the Tribal President, with the consent of their respective governing bodies.

#### **Section 3.1.3. Terms.** (Ord. 551)

The members of the Commission shall be appointed for terms of four (4) years. Initially the terms shall be shortened and staggered to provide for renewal of terms at different times. No members shall serve more than two (2) full consecutive terms. Serving less than one (1) year of an unexpired term shall not be counted as service of one term.

#### **Section 3.1.4. Removal and Vacancy of Members.** (Ord. 551)

Any member of the Commission appointed by the City shall be subject to removal by the majority vote of the entire membership of the City Council, after recommendation of removal by the Mayor or two-thirds majority of the City Council. In the event of vacancy in any membership on the Commission caused by death, resignation or otherwise, such vacancy shall be filled by appointment by the Mayor with the consent of the City Council, except and unless the vacancy was in a position that had been filled by the FSST, and in that event, the FSST shall determine how the vacancy shall be filled. For the position that is held by the community at large, removal shall be made upon the joint recommendation of the Mayor and the Flandreau Santee Sioux Tribal President and upon the majority vote of their respective government bodies.

**Section 3.1.5. City Council Liaison.** (Ord. 523)

The Mayor, with the consent of the City Council, may appoint a member of the City Council to act as a non-voting liaison member of the Commission to facilitate communication between the Commission and the City Council. If by agreement the FSST shall be appointing some of the membership of the Commission, the FSST, if desired, may appoint another person as a non-voting liaison member of the Commission to facilitate communication between the Commission and the FSST.

**Section 3.1.6. Meetings.** (Ord. 551)

The Commission shall hold meetings as needed at a time and place to be established by it. The Chairperson of the Commission may call special meetings at any time by giving 24 hours advance notice to all other members including the Council liaison member. A quorum shall consist of three (3) members.

**Section 3.1.7. Organization.**

The members of the Commission shall elect from among themselves one person to serve as Chairperson, one to serve as Vice-Chairperson and one to serve as Secretary. Each office is held for one (1) year and the initial terms shall expire at the end of the second calendar year that the Commission is organized.

**Section 3.1.8. General Authority.** (Ord. 551)

The Commission shall have the power and authority to advise the Mayor, City Council, and the Flandreau Santee Sioux Tribe (FSST) on matters pertaining to law enforcement community relations. The Commission shall receive and review complaints against the Flandreau Police Department. To the extent permissible by law shall have the power to require the production of evidence in furtherance of this purpose and to make a recommendation to the governing bodies on a proper course of action.

**Chapter 3.2. Police Department.**

**Section 3.2.1. Members.**

The Police Department shall consist of the Police Chief and such number of police officers as may be necessary for the enforcement of all laws and ordinances under its jurisdiction, for the protection of the general public, and for enforcement of all laws of the FSST if it has an agreement with the City for law enforcement.

**Section 3.2.2. Chief of Police.** (Ord. 551)

The Police Chief shall provide leadership, direction and management of the Police Department and shall be under the supervision of the Flandreau City Administrator. The Flandreau Santee Sioux Tribe Contract Administrator will work with the City Administrator to ensure contract compliance.

**Section 3.2.3. Appointment of Police Department.** (Ord. 551)

**Article 3.2.3.1.** The members of the Police Department shall be selected and hired by the Police Chief. The Police Chief shall have charge of the Police Department and each of the police officers shall serve under the Chief's direction and control or, in the case of the absence of the Chief, any other officer designated by the Chief.

**Article 3.2.3.2.** Each police officer when on duty shall wear some insignia of the office in a conspicuous place, unless the circumstances are such that it is not necessary or there is good reason not to have the insignia displayed.

**Section 3.2.4. Duties of Police Officers.**

The Police Chief and all officers serving in the Department shall possess all powers conferred by State Law and will generally have the responsibility to suppress disorder, keep the peace, enforce all laws and ordinances under its jurisdiction and the laws of the FSST if it has an agreement with the City for law enforcement, and perform other duties requested by the Commission, City or FSST, if applicable.

**Section 3.2.5. Personnel Policies.**

The Police Chief and all other employees of the Department shall be subject to the personnel policies of the City.

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