

ORDINANCE NO.

ORDINANCE RELATING TO CRIMINAL HISTORY BACKGROUND
FOR CITY EMPLOYEES, APPOINTEES, LICENSEES

BE IT ORDAINED by the Mayor and Council of the City of _____, _____ County, Minnesota, as follows:

Section 1. That Title I of the _____ City Code (Administration) shall be amended by adding a new Chapter 8, as follows:

CHAPTER 8
BACKGROUND CHECK
MUNICIPAL EMPLOYEES AND APPOINTEES

SECTION:

1-8-1 Criminal History Background

1-8-1: **CRIMINAL HISTORY BACKGROUND:** The _____ Police Department is authorized to do a criminal history background investigation on applicants for positions with the city. This chapter applies only to applicants who are finalists for paid positions. Before the investigation is undertaken, the applicant must authorize the Police Department in writing to undertake the investigation and to release the information to the City Council, City Administrator and other city staff as appropriate. Except in the case of exceptions set forth in Minnesota Statutes Section 364-.09, should the City reject the applicant's request for employment due partially or solely to the applicant's prior conviction of a crime, the City Administrator shall notify the applicant in writing of the following:

- A. The grounds and reasons for the denial.
- B. The applicant complaint and grievance procedure set forth in Minnesota Statutes Section 364.06.
- C. The earliest date the applicant may reapply for employment.
- D. That all competent evidence of rehabilitation will be considered upon reapplication.

Section 2. That Subsection 3-1-3 of the _____ City Code shall be deleted in its entirety, and a new Subsection 3-1-3 shall be substituted therefore, as follows:

3-1-3: **APPLICATION FOR LICENSE OR PERMIT/ISSUANCE:** Every applicant for a license shall submit an application to the Clerk on a form provided by the City. It shall be accompanied by payment of the prescribed fee.

- A. **Criminal History Background:** When applicable, the _____ Police Department is authorized to do a criminal history background investigation on applicants for city licenses. Before the investigation is undertaken, the applicant must authorize the Police Department in writing to undertake the investigation and to release the information to the City Council, City Administrator and other city staff as appropriate.
- B. **Issuance:** If, after investigation, the Clerk is satisfied that all requirements of law and this Code have been met, the Clerk shall present the application to the Council for action, or, if the license or permit does not require Council approval, the Clerk shall issue the license or permit.
- C. **Denial for Background:** Except in the case of exceptions set forth in Minnesota Statutes Section 364.09, should the City deny the applicant's request for a license, due partially or solely to the applicant's prior conviction of a crime, the City Administrator shall notify the applicant in writing of the following:

1. The grounds and reason for denial.
2. The applicant complaint and grievance procedure set forth in Minnesota Statutes Section 364.06.
3. The earliest date the applicant may reapply for a license.
4. That all competent evidence of rehabilitation will be considered upon reapplication.

Section 3. That this ordinance shall take effect upon its passage and publication.

Passed by the City Council of the City of _____ this day 16th day of April _____.

_____, Mayor

Attest:

_____ City Administrator