

**ORDINANCE 1378 A**

**AN ORDINANCE AMENDING TITLE V BY ADDING SECTION <sup>510</sup>~~509~~ TO THE CITY OF ROSEVILLE CITY CODE REGARDING BACKGROUND CHECKS**

**THE CITY COUNCIL OF THE CITY OF ROSEVILLE ORDAINS:**

**Section 1.** Section <sup>(b10)</sup>509, hereby titled BACKGROUND CHECKS is hereby created as follows.

**.01 PURPOSE:**

The purpose and intent of this section is to establish regulations that will allow law enforcement access to Minnesota's Computerized Criminal History information for specified non-criminal purposes of background checks for licensing, employment and volunteer positions described in Section 104.

**.02 CRIMINAL HISTORY EMPLOYMENT BACKGROUND INVESTIGATIONS:**

A. The Roseville Police Department is authorized, as the exclusive entity within the City, to do a criminal history background investigation on applicants for the following licenses and full-time, part-time and volunteer positions with the City:

1. all licenses and positions that include work with children or vulnerable adults;
2. all licenses and positions that include access to private or confidential data;
3. all licenses and positions that require the operation of City-owned motorized vehicles, regardless of whether the vehicle is operated on public streets;
4. all licenses and positions that include the physical handling or management of monies, securities, bonds or public funds;
5. all licenses and positions that include the handling or dispensing of hazardous materials, alcoholic beverages, or equipment or instruments capable of transmitting infectious diseases;
6. all other licenses and positions as otherwise expressly required by City Code.

B. In conducting the criminal history background investigation, in order to screen applicants, the Police Department is authorized to access data maintained in the Minnesota Bureau of Criminal Apprehensions Computerized Criminal History information system in accordance with BCA policy. Any data that is accessed and acquired shall be maintained at the Police Department under the care and custody of the chief law enforcement official or his or her designee. A summary of the results of the Computerized Criminal History data may be released by the Police Department to the licensing or hiring authority, including the City Council, Mayor, the City Manager, Human Resources Manager, City Attorney, and other city staff involved in the licensing and hiring processes.

C. Before the investigation is undertaken, the applicant must authorize the Police Department by written consent to undertake the investigation. The written consent must fully comply with the provisions of Minn. Stat. Chap. 13 regarding the collection, maintenance and use of the information.

D. Except for the licenses and positions set forth in Minnesota Statutes Section 364.09, the city will not reject an applicant on the basis of the applicant's prior conviction unless the crime is directly related to the license or position sought and the conviction is for a felony, gross misdemeanor, or misdemeanor with a jail sentence. If the City rejects the applicant's request on this basis, the City shall notify the applicant in writing of the following:

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

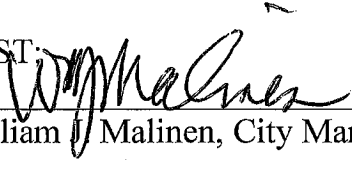
**SECTION 2. Effective Date.** This ordinance amendment to the City Code shall take effect on October 27, 2008 after passage and publication.

Passed this 27<sup>th</sup> day of October, 2008.

*Ordinance – Background Checks*

CITY OF ROSEVILLE

BY:   
Craig D. Klausing, Mayor

ATTEST:   
William J. Malinen, City Manager