

ORDINANCE NO. 110

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

BE IT ORDAINED by the City Council of the City of New York Mills, Otter Tail County, Minnesota, as follows:

**BACKGROUND CHECK
MUNICIPAL EMPLOYEES AND APPOINTEES**

- I. **CRIMINAL HISTORY BACKGROUND:** The New York Mills Police Department is authorized to do a criminal history background investigation on applicants for positions with the city. This provision 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 Clerk 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 Clerk 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.

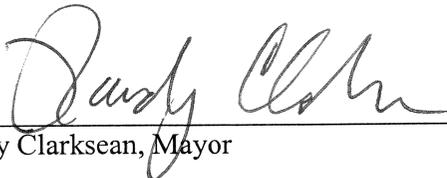
**BACKGROUND CHECK
APPLICANTS FOR LICENSE OR PERMIT**

- II. **APPLICATION FOR LICENSE OR PERMIT/ISSUANCE:** Every applicant for a license shall submit an application to the City 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 New York Mills 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 Clerk and other city staff as appropriate.
 - B. ***Issuance:*** If, after investigation, the City Clerk is satisfied that all requirements of law and all other City ordinances have been met, the City Clerk shall present the application to the Council for action, or, if the license or permit does not require Council approval, the City 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 Clerk 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.

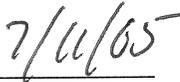
4. That all competent evidence of rehabilitation will be considered upon reapplication.

III. This ordinance shall take effect upon its passage and publication.

Passed by the City Council of the City of New York Mills this day 11th day of July 2005.

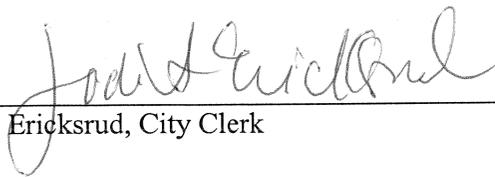


Randy Clarksean, Mayor

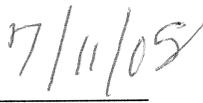


Date

ATTEST:



Jodi Ericksrud, City Clerk



Date