

Chapter 34  
**LAW ENFORCEMENT**

**ARTICLE I. IN GENERAL**

**Sec. 34-1. The Police Department.**

The administration of the Police Department shall be determined by the City Council upon the recommendation of the City Manager.  
(Ord. No. 11-2012, 12-23-12)

**Secs. 34-2—34-18. Reserved.**

**ARTICLE II. POLICE DEPARTMENT**

**Sec. 34-19. Computerized criminal history background check.**

(a) *Requirements.* The Police Department is authorized to conduct a state computerized criminal history background investigation (CCH investigation) on applicants for positions with the city, and applicants for identified city licenses and permits, as provided by this section. The CCH investigation shall be performed pursuant to the requirements of the state bureau of criminal apprehension for noncriminal justice purposes, as those guidelines may be amended, which are on file with the City Clerk and the Chief of Police.

(b) *Job or volunteer CCH investigation.* This section applies only to applicants who are finalists for paid or volunteer positions with the city, where the City Manager has determined that conviction of a crime may relate directly to the position sought. The Police Department may not perform a CCH investigation unless the applicant consents in writing to the investigation and to the release of the investigation information to the City Manager and other city staff as may be appropriate, unless authorized by law. An applicant's failure to provide consent may disqualify the applicant for the position sought. If the City Manager rejects the applicant's application due, solely or in part, to the applicant's prior conviction of a crime, subject to the exception set forth in Minn. Stats. § 364.09, as amended, the City Manager must notify the applicant in writing of the following:

- (1) The grounds and reasons for the rejection;
- (2) The applicable complaint and grievance procedure set forth in Minn. Stats. § 3674.06, as amended;
- (3) The earliest date the applicant may reapply for employment; and
- (4) That all competent evidence of rehabilitation will be considered upon reapplication.

(c) *CCH investigation for approval or denial of a license or permit.* The Police Department is authorized to conduct a CCH investigation to assist in determining the factual basis for the approval or denial of a city license or permit where the health, safety or welfare of the public is a concern based on the activity regulated and subject to the license or permit. A CCH investigation is required for the applicant for a license or permit under the following sections, as amended:

- (d) Section 129-286;
- (e) Section 38-153;
- (f) Section 6-47; and
- (g) Section 6-110.

(Ord. No. 15-2002, § 250.30, 8-25-2002; Ord. No. 02-2008, 3-13-2008)

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