

CHAPTER 6 LICENSED ACTIVITIES

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Section 670.01: APPLICANTS FOR CITY LICENSES670-1
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Section 670.01: APPLICANTS FOR CITY LICENSES.

Subd. 1. Applicants for City Licenses.

- (a) 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 licensing background checks.
- (b) Criminal History License Background Investigations. The City of Kimball Police Department is hereby required, as the exclusive entity within the City, to do a criminal history background investigation on the applicants for the following licenses within the City:
 1. City licenses:
Liquor Licenses (Ordinance Section 600)
Tobacco Sales (Ordinance Section 625)
Gambling Licenses (Ordinance Section 640)
Sexually Oriented Business/Employer License (Ordinance Section 660)
 2. The criminal history data is considered private, non-public data.
 3. In conducting the criminal history background investigation in order to screen license applicants, the Kimball 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 Kimball 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 authority, including the City Council, the City Clerk, or other City Staff or consultants involved in the license approval process.
 4. Before the investigation is undertaken, the applicant must authorize the Kimball Police Department by written consent to undertake the investigation. The written consent must fully comply with the provisions of Minnesota Statutes Chapter 13 regarding the collection, maintenance and use of the information. The City will not reject an applicant for a license on the basis of the applicant's prior conviction unless the crime is directly related to the license sought as set forth in Minnesota Statutes. If the City rejects the applicant's request on this basis, the City shall notify the applicant in writing of the following:
 - A. The grounds and reasons for the denial.

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