CHAPTER 2. COUNCIL AND ADMINISTRATION

SECTION 200 - RULES GOVERNING THE FUNCTION OF THE CITY COUNCIL

200.01 Meeting Schedule. The regular meetings of the Council shall be held on the second and fourth Tuesday evenings of each calendar month at the hour of 7:00 p.m. Any regular meeting falling upon a legal holiday shall be held on the next following business day at the same hour and place, except as otherwise ordered by the Council. All meetings of the Council shall be held in the Council Chambers, including special and adjourned meetings, except as otherwise ordered by the Council. All Council meetings, including special and adjourned meetings and meetings of Council committees, will be open to the public, except as otherwise determined by the Council. Notice of all Council meetings shall be given as required by then current state law.

200.02 Special Meetings. Special meetings of the Council may be called by the Mayor or any two Councilmembers in writing, filed with the Clerk. The Clerk shall immediately notify each Councilmember of the time and purpose of such meeting by causing a written notice thereof to be delivered to each member personally, if he or she can be found and, if he or she cannot be found, then by leaving a copy of such notice at the home of such member in the presence of an adult member of the family of the member. The Clerk shall cause an affidavit showing service of such notice as herein provided to be filed in his/her office prior to the time fixed for such special meeting. Special meetings may be held without such notice when all members of the Council are present in person or consent, in writing, to the holding of said meeting, such written consent to be filed with the Clerk prior to the beginning of the meeting. Any special meeting attended by all the members shall be a regular meeting for the transaction that may come before such meeting. Notice of all special meetings shall be given as required by law.

200.03 Adjournment. The Council may, by a majority vote of those present, adjourn from time to time to a specific date and hour.

200.04 Business of the Council. The business of the Council shall be conducted in the manner determined from time to time by the Council.

200.05 Presiding Officer Duties. The Mayor shall preside at all meetings of the Council. The presiding officer shall call the meeting to order at the stated hour. He or she

shall preserve order and conduct the proceedings of the meeting in accordance with the parliamentary rules contained in Robert's Rules of Order, unless otherwise provided by statute or by this Code, or unless suspended by the Council. Any member shall have the right of appeal from a decision of the presiding officer. No appeal shall be debatable. The appeal may be sustained by a majority of the members present exclusive of the presiding officer.

200.06 Absence of Mayor. If the Mayor is absent at any designated time for any meeting, the acting Mayor shall take over the duties of the Mayor and preside over the meeting. In the absence of both the Mayor and acting Mayor, the Clerk or in his or her absence, the senior Councilmember, shall call the meeting to order and preside until the Council shall, by motion, select a president pro tem for that meeting. In the absence of the Clerk the presiding officer shall appoint a Clerk pro tem.

200.07 Enactment of Ordinances. Every proposed ordinance shall be considered by the Council at no fewer than two separate meetings, unless the Council determines that the ordinance need only be considered at one meeting. A proposed ordinance need not be read aloud at any meeting, and amendments to a proposed ordinance may be offered at any time prior to passage of the ordinance.

SECTION 205 - ESTABLISHING SALARIES OF MAYOR AND COUNCILMEMBERS

205.01 Salary of the Mayor. Effective January 1, 2006, the salary of the Mayor of the City shall be the sum of three thousand seven hundred and fifty dollars ($3,750) per year. Effective January 1, 2008, the salary of the Mayor of the City shall be the sum of four thousand five hundred dollars ($4,500) per year.

205.02 Salary of the Council Members. Effective January 1, 2006, the salary of each Council Member of the City shall be the sum of three thousand dollars ($3,000) per year. Effective January 1, 2008, the salary of each Council Member of the City shall be the sum of three thousand nine hundred dollars ($3,900) per year.

205.03 Payment. The salaries established hereby are to be paid quarterly.

Section 210 - CITY ELECTIONS, TERM OF COUNCILMEMBERS

210.01 Date of Election. The regular City election shall be held biennially on the first Tuesday after the first Monday in November in every odd-numbered year.

210.02 Terms and Transition. Two Councilmembers shall be elected for four-year terms at each biennial City election. The Mayor shall be elected for a two-year term at each election.

SECTION 215 - WORKER'S COMPENSATION

215.01 Electing Coverage, Worker's Compensation, Elected Officials. Pursuant to Minn. Stat. § 176.011, Subd. 9(6), the Mayor and the Council members of the City are hereby determined to be employees of the City for workers' compensation purposes.

215.02 Electing Coverage, Worker's Compensation, Appointed Boards and Commissions. Pursuant to Minn. Stat. § 176.011, Subd. 9(6), members of the following boards, commissions, and committees are included in the city's workers' compensation coverage:

- Members of the Park Board
- Members of the Planning Commission
- Members of the Utility Commission

SECTION 220 - CREATING THE COMBINED OFFICE OF CITY ADMINISTRATOR

220.01 Duties. The offices of Clerk and treasurer are hereby combined into the single office of Clerk-Treasurer, and the duties of the Treasurer shall be performed by the Clerk-Treasurer. The title of Clerk-Treasurer shall be the City Administrator.

SECTION 225 - ESTABLISHING A PLANNING COMMISSION

225.01 Establishment of Commission. A City Planning Commission for the City is hereby established.

225.02 Composition. Such Planning Commission will consist of five members. All members shall be appointed by the Council and may be removed only by a two-thirds vote of the entire membership of the Council. Members of the Commission shall be appointed for terms of four years. Appointees shall hold their offices until their successors are

appointed and qualified. Vacancies during the term shall be filled by the Council for the unexpired portion of the term. Every appointed member shall, before entering upon the discharge of his/her duties, take an oath of office. All members shall serve without compensation.

225.03 Organization, Meetings, Etc. The officers of the Commission shall be a chairperson, and such other offices as the Commission may determine. Officers shall be selected by the Commission subject to Council approval. The Commission shall hold at least one regular meeting each month. It shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, and findings, which record shall be a public record. On or before January first of each year, the Commission shall submit to the Council a report of its work during the preceding year. Expenditures of the Commission shall be within the amounts appropriated by the Council.

225.04 Adoption of Program of Work. Upon the appointment and organization of the Commission, it shall proceed with the preparation and adoption by resolution of a program of work, outlining activities proposed to be undertaken in the exercise of its powers and the performance of its duties. Such a program will include:

Subd. 1 Data and Information. An outline of data and information to be assembled as a basis for the City plan.

Subd. 2 Subjects. An outline of subjects to be covered by the City plan.

Subd. 3 Types of Procedure. An outline of types of procedure necessary to make the City plan effective.

Subd. 4 Revision. The Planning Commission may, by resolution, revise its program of work from time to time.

225.05 Preparation of City Plan. It shall be the function and duty of the Planning Commission to prepare and recommend to the City Council a comprehensive City plan, and any amendments thereto ,for the physical development of the City, including proposed public buildings, street arrangements and improvements, public utility services, parks, playgrounds, and other similar developments, the use of property, the density of population and other matters relating to the physical development of the City. Such plan may be prepared in sections, each of which shall relate to a major subject of the plan, or to a major geographical section of the City.

225.06 Procedure for Adoption of Plan. Before the City Council adopts the City plan or any section of it or any substantial amendment thereof, the Planning Commission shall hold at least one public hearing thereon, notice of the time and place of which shall be given by publication in the City's official newspaper at least ten days before the day of hearing. The adoption of the City plan or of any section or amendment thereof shall be by resolution of the council approved by the affirmative votes of not less than two thirds of its total membership.

225.07 Means of Executing Plan. Upon the adoption of the City plan or any section thereof, it will be the duty of the Planning Commission to recommend to the Council reasonable and practicable means for putting into effect such plan or section thereof, in order that the same will serve as a pattern and guide for the orderly physical development of the City and as a basis for the efficient expenditure of funds relating to the subjects of such City plan. Such means shall consist of a zoning plan, the control of subdivision plats, a plan of future streets, coordination of the normal public improvements of the City, a long-term program of capital expenditures and such other matters as will accomplish the purposes of this Section.

SECTION 230 - ESTABLISHING A PARK BOARD

230.01 Establishment. Pursuant to the provisions of Minn. Stat. §412.501 through 412.531, there is hereby established a Park Board consisting of five (5) members in and for the City.

230.02 Duties. The powers and duties of said Park Board shall be those as enumerated by law as the same now is or may be amended from time to time.

230.03 Terms. At the first regular meeting of the City Council each calendar year, one member shall be appointed for a term of three years.

SECTION 235 - ESTABLISHING A PUBLIC UTILITIES COMMISSION

235.01 Establishment. There is hereby established the Circle Pines Public Utilities Commission (referred to in this Section only as the Commission), as authorized by Minn. Stat. § 412.321 through 412.391. Except as modified in Subsection 235.03, the provisions of Minn. Stat. § 412.331 through 412.391 are hereby accepted.

235.02 Jurisdiction: Powers and Duties.

Subd. 1 Public Utilities Jurisdiction. The Commission shall have jurisdiction over the following public utilities of the City:

(a) The water system
(b) The light and power systems, including any system now in use or later acquired for the production and distribution of steam heat.
(c) The gas system.
(d) The sanitary sewer system.
(e) The storm sewer system.

Subd. 2 Powers and Duties. The Commission shall have the powers and duties prescribed by law.

235.03 Membership.

Subd. 1 Five Members. As authorized in 1985 Minn. Laws Ch. 90 and through Joint Resolution, the Commission shall consist of five members. The members shall be appointed by the City Council of Circle Pines. The salary of the Chair of the Commission shall be equal to one half of the salary of the Mayor. The salary of each other member of the Commission shall be equal to one half of the salary of a Councilmember. The salaries established hereby shall be paid at intervals set by the Commission, and shall be paid solely from revenues of the public utilities of the City.

Subd. 2 Terms. Except as otherwise provided in this Subsection, each member of the Commission shall serve for a term of three (3) years and until a successor is appointed and qualified, commencing on January 1st of each year.

SECTION 240 - ESTABLISHING A CITY TREE BOARD; PLANTING & MAINTENANCE OF TREES & OTHER WOODY VEGETATION ON PUBLIC PROPERTY

240.01 Definitions. Unless the context otherwise indicates, the following terms have the stated meanings:

Subd. 1 Street Trees. Trees, shrubs, bushes and all other woody vegetation on land lying between property lines on either side of all streets, avenues, boulevards or ways within the City.

Subd. 2 Park Trees. Trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the City, or to which the public has free access as a park.

Subd. 3 Tree Sizes. Small Tree means any plant material that will grow to a height of less than 30 feet; a medium tree means any plant material that will grow to a height of between 30-50 feet; a Large Tree means any plant material that will grow to a height of over 50 feet.

240.02 Establishment of City Tree Board.

Subd. 1 Tree Board. There is hereby created and established a City Tree Board for the City. The Board shall consist of not less than five (5) more than seven (7) members, who shall be appointed by the Mayor with the approval of the Council. Unless the Council shall provide otherwise, the City Park Board is hereby designated as the City Tree Board.

Subd. 2 Members. The persons to be appointed by the Council to the City Tree Board shall hold office for a term of one (1) year. Members of the Park Board shall hold office concurrently with their terms as Park Board members.

Subd. 3 Compensation. Members of the City Tree Board shall serve without compensation.

Subd. 4.Duties and Responsibilities. It shall be the responsibility of the City Tree Board to study, investigate, counsel, develop and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs, parks, along streets and in other areas. The plan shall be presented to the Council, and following the review and approval by the Council shall constitute the official comprehensive City Tree Plan for the City. The Board, when requested by the Council, shall consider, investigate, make findings, report and recommend upon any special matter or question coming within the scope of its work.

Subd. 5 Officers. The Board shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall constitute a quorum for the transaction of any business. Nothing in this Section shall be deemed to conflict with Minn. Stat. § 412.501- 412.531 respecting the operation of a Municipal Park Board.

240.03 Street Tree Permit Application Procedure.

Subd. 1 Necessity of Permit. No tree maybe planted in the boulevard except by permit obtained by City's Forester. The City may remove or order to remove any street tree not planted by permit.

Subd. 2 Application for Permit. After the effective date of this ordinance an application for a street tree

permit shall be made to the City on forms supplied by the City.

240.04 Street Tree Species to be Planted. No street tree may be planted within the City which does not comply with the provisions of this Section. To allow flexibility in the selection of trees a homeowner can choose from a list of approved trees supplied by the City.

240.05 Spacing and Location of Street Trees

Subd. 1 Spacing. The spacing of street trees shall be in accordance with tree species size classes provided in this Section. No trees may be planted closer together than as follows: Small trees, 20 feet; medium trees, 40 feet; and large trees, 50 feet, except in special plantings designed or approved by the City Forester.

Subd. 2 Location. The distance trees may be planted from curbs or curblines and sidewalks shall be in accordance with the tree species size classes listed in Subsection 240.01, Subd. 5. As of the publication of this ordinance no trees may be planted closer 10 feet to any curb or 5 feet to any sidewalk. The tree will be measured from the center of the tree to the curb. On corner lots, street trees will not be planted within the 25 foot sight triangle.

Subd. 3 Corners, Fireplugs and Driveways. No street tree shall be planted closer than 25 feet to any street corner, measured from the point of nearest intersecting curbs or curblines. No Street tree shall be planted closer than 15 feet to any fireplug, nor 5 feet from any driveway. The tree will be measured from the center of the tree to the curb or object.

Subd. 4 Utilities. No street trees other than those defined as small trees in Subsection 240.01 may be planted under or within 10 level feet of any overhead utility wire. It is recommended not to plant a tree over or within 10 lateral feet of any underground water line, sewer line, transmission line or other utility. Through the application process residents will be given recommendations, given specific circumstances, as to where to plant a tree near or around utility lines.

240.05 Public Tree Care.

Subd. 1 Care of Street Trees. The City shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds as may be necessary to ensure the public safety or to preserve or enhance the

symmetry and beauty of such public grounds. No other planting may be done without consent of the City Forester.

Subd. 2 Removal of Trees Endangering Utilities or Other Public Improvements. The City Tree Board may remove, or cause, or order to be removed any tree or part of a tree which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, waterlines, or other public improvements, or is affected with any injurious fungus, insect or other pest. Every tree overhanging any street or right-of-way within the city shall be pruned so that the branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection, and so that there shall be a clear space of at least 8 feet above the street or sidewalk. Dead, diseased, or dangerous trees, or broken or decayed limbs which endanger the safety of the public shall be removed.

Subd. 3 Trees on Private Property. The City Tree Board shall have the authority to order the trimming, treatment and removal of trees, shrubs or plants upon private property when such action is necessary to public safety or to prevent the spread of disease or insects to trees, shrubs or plants located on public property. Any tree or shrub situated upon private property, but so-situated as to extend its branches over the improved portion of a public street or highway easement shall be so-trimmed by the owner of the real property upon which the plants or trees are located so that there is a clear height of at least 8 feet over that portion of the easement used for pedestrian travel, which is unobstructed by branches. Owners shall remove the dead or diseased branches or stubs of trees which are or may become hazardous to the public use of the easement. Any trees obstructing traffic control signs or devices from the view of the pedestrian or motorist shall be pruned to a height established by the City Tree Board to insure proper safety for motorists or pedestrians. All orders to trim, remove or treat trees shrubs or plants given, pursuant to this Section, shall be in writing and shall be served in person or by first class mail upon the owner of the property where such trees, shrubs or plants are located. The order shall afford the owner of the property not less than fourteen (14) days from the date of mailing of such notice to comply with the order. It shall be unlawful for an owner or property receiving an order to fail to comply with the order in the time specified. If the required action is not taken by the property owner within the specified time, the City Tree Board may cause the trees, shrubs or plants to be trimmed, removed or treated, with the costs being borne by the property owner. If not voluntarily paid to the City by the owner, the costs of trimming, removal or treatment may be recovered by the City by special assessment upon the property owner.

240.06 Tree Topping. It shall be an unlawful practice for any person, or City department to top any street tree, park tree, or other tree on public property without authorization from the City Forester. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or obstructions where other pruning practices are impractical may be exempted from this Section at the determination of the City Tree Board.

240.07 Dead or Diseased Tree Removal on Private Property. The City shall have the right to cause the removal of any dead or diseased trees on private property within the City in accordance with Section 705 of this Code.

240.08 Interference With City Tree Board. It shall be unlawful for any person to prevent, delay or interfere with the City Tree Board, or any of its agents, while engaging in and about the planting, cultivating, mulching, pruning, spraying or removing of any street trees, park trees, or trees on private grounds, as authorized in this Section.

240.09 Arborists License and Bond. It shall be unlawful for any person to engage in the business or occupation of pruning, treating, or removing street or park trees within the City without first obtaining a license from the City and paying the fee set in Section 350. However, no license shall be required of any public utility company, or its agents, or City employee doing such work in the pursuit of their public service endeavors. Before any license shall be issued, each applicant shall first file evidence of possession of liability insurance in the minimum amounts of $50,000 for bodily injury and $100,000 for property damage and indemnifying the City or any person injured, or damage resulting from the pursuit of such endeavors as described in this Section.

240.10 Destruction of Trees on Public Property. It shall be unlawful for any person to remove, alter, or destroy any street tree or park tree without the prior authorization of the City.

240.11 Right of Review by Council. Any person aggrieved by any ruling or order of the City Tree Board may appeal to the Council which shall hear the matter and make a final decision. The Council shall have the right to review the conduct and decisions of the City Tree Board. The Council may modify, affirm, or reverse any determination of the City Tree Board.

SECTION 245 - POSSESSION AND DISPOSAL OF UNCLAIMED PROPERTY

245.01 Statutory Authorization. This Section is adopted pursuant to and in accordance with the authority contained in Minn. Stat.§ 471.195.

245.02 Definitions. Unless the context otherwise indicates, the following terms have the stated meanings:

Subd. 1 Property. All forms of tangible personal property excluding abandoned motor vehicles as defined in Minn. Stat. § 168B.02.

Subd. 2 Owner. Any person having a legal or equitable interest in any property affected by this Section.

245.03 Custody of Property. Whenever the City, in the course of its municipal operations, comes into possession of property owned by another, such property shall be delivered to the Chief of Police or appropriate storage and safekeeping.

245.04 Attempt to Find Owner. Upon receipt of any such property, the Chief of Police shall make, or cause to be made, a reasonable and diligent effort to find the rightful owner of the property. If the rightful owner of the property is found, the Chief of Police shall return the property to the owner as soon as is reasonably possible under the circumstances.

245.05 Disposal of Property. The following procedures shall be adhered to for the disposal of unclaimed property:

Subd. 1 Selling of Unclaimed Property. Except as provided in Subds. 2 and 3 of this Subsection, if the owner of any property coming into possession of the City cannot be found within (60) days after the date the property came into possession of the City, the Chief of Police shall sell or cause to be sold, the property to the highest bidder at public auction or by sealed Bids. Notice of the time and place of any public auction shall be published once a week for two consecutive weeks in the official newspaper of the City. At the time and place designated in such notice, the Chief of Police or duly-authorized representative shall conduct the auction in a manner as the Chief of Police deems appropriate under the circumstances. Notice of the sale shall also be

posted in the City Hall, the Police Department, and other locations as the Chief of Police deems appropriate.

Subd. 2 Items of Small Value. If any item of unclaimed property in possession of the City appears to have a value of five dollars ($5.00) or less, is hazardous to store or is perishable, the Chief of Police or duly-authorized representative may sell or otherwise dispose of the property In whatever manner the Chief of Police determines reasonable and appropriate.

Subd. 3 Unclaimed Firearms. All firearms including long guns and hand guns of every kind, coming into the possession of the Centennial Lakes Police Department, in the course of its operations on behalf of the City, and remaining unclaimed by the owner, shall be subject to disposal under the following terms.

A. The Centennial Lakes Police Department shall take reasonable steps to notify the owner of the property subject to disposal that the police department has come into possession of such property. The notice shall further provide that such property is subject to disposal within 65 days following the mailing of such notice.
B. Such notice shall be made by certified mail at the last known address of the owner.
C. In the event the actual identity or last known address of the owner is not reasonably known to the police department, notice may be made by publication. The notice must be published at least once in a legal newspaper published in the city or, if there is none in the city, published in the county.
D. In the event the owner has actual knowledge that the police department has possession of such firearms, no additional notice shall be required.
E. After proper notice, and upon the expiration of the 65 day period described herein, all unclaimed firearms shall be destroyed in a manner and under circumstances to be determined by the Chief of Police.
F. No unclaimed firearm shall be sold or otherwise used for any purpose.

Subd. 4 Waiting Period Expiration. Upon expiration of the sixty-day waiting period, unclaimed property coming into possession of the City of Circle Pines may be appropriated by the City for use by the City at the discretion of the City Administrator.

245.06 Proceeds of Sale to be Deposited with City Clerk.

Subd. 1 Costs Incurred. The proceeds of the sale of any item of property made pursuant to this Section shall first be applied to the payment of all costs and charges incurred for the storage, maintenance or otherwise in connection with such property.

Subd. 2 Remaining Balance. The balance of the proceeds of the sale shall then be deposited by the Chief of Police with the Clerk along with a statement containing a description of the property sold, the gross amount for which it was sold, the amount for which it was sold, the amount of charges incurred in connection with the property, and the name of any person purchasing the property.

Subd. 3 Separate Accounts. The City Clerk shall keep separate accounts in the general fund for the proceeds of the sale and such proceeds shall be invested in whatever manner is determined appropriate by the City Clerk.

245.07 Owner May Claim Proceeds Within Six (6) Months of Sale, Disposition of Unclaimed Proceeds.

Subd. 1 Evidence of Ownership. If the owner of any property sold pursuant to this Section furnishes the City Clerk with evidence substantiating claim of ownership of the property within six (6) months after the proceeds from the sale of the property were deposited with the City Clerk, then
the City Clerk shall pay to the owner the balance of the proceeds of the sale of the property after payment of costs pursuant to Subsection 245.06, Subd. 1.

Subd. 2 Unclaimed Proceeds. If no claim is made for the proceeds of any sale of property made pursuant to this Section within six (6) months after the proceeds were deposited with the City Clerk, then such proceeds shall become the property of the City to the exclusion of the owner of the property and all others.

Subd. 3 General Fund. All such proceeds that become the property of the City, with the exception of

proceeds generated from the sale of unclaimed bicycles, shall be credited to the general fund of the City.

Subd. 4 Proceeds from Bicycles. Proceeds deposited with the City Clerk from the sale of unclaimed bicycles held by the police Department, shall be made available to the Police Department upon request of the Chief of Police to be utilized solely for youth safety instruction.

245.08 Persons Ineligible to Participate in Sale of Unclaimed Property. No employee, police officer, or other person having a vested interest with the City shall be eligible to participate in the purchasing of unclaimed property.

SECTION 250 - COMMUNITY SERVICE OFFICERS

250.01 Powers. Notwithstanding anything to the contrary contained in this Code, individuals employed as community service officers by the Circle Pines-Lexington Police Department or other entity which provides law enforcement services to the City are hereby authorized to issue citations in lieu of arrest or continued detention to persons who violate any provision of the following sections of this Code or state statutes:

City Code Section 320 Animals.

City Code Section 330 Pet Shops, pet grooming shops and animal hospitals, and prohibiting kennel operation.

City Code Section 615 Regulating the operation of public water during shortages.

City Code Section 700 Nuisances.

City Code Section 1110 Regulating the parking of motor vehicles.

City Code Section 1130 Self-propelled wheeled devices.

City Code Section 1220 Requiring the numbering of buildings.

Minnesota Statutes Section 169.222 Operation of bicycles.

Minnesota Statutes Section 169.34 Prohibitions: Stopping, parking.

Minnesota Statutes Section 169.346 Parking for Physically Disabled.

City Code Section 700 - Nuisances.

City Code Section 1110 - Regulating the parking of motor vehicles.

SECTION 270 APPLICANTS FOR CITY EMPLOYMENT CRIMINAL HISTORY CHECKS

270.01 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 employment background checks for the positions described in Section 270.02.

270.02 Criminal History Applicant Background Investigations. The Centennial Lakes Police Department (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 positions within the city, unless the city's hiring authority concludes that a background investigation is not needed:

A. Employment positions: All Regular full and part-time positions

270.03 Authorization to Access Data. In conducting the criminal history background investigation in order to screen employment applicants, the Police Department is authorized to access data maintained in the Minnesota Bureau of Criminal Apprehensions (BCA)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 hiring authority, including the City Council, the City the City Administrator or other city staff involved in the hiring process.

270.04 Applicant Authorization. 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. Except for the positions set forth in Minnesota Statutes Section 364.09, the city will not reject an applicant for employment on the basis of the applicant's prior conviction unless the crime is directly related to the position of employment 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:

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 271 APPLICANTS FOR CITY LICENSES

271.01 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 licensing background checks.

271.02 Criminal History License Background Investigations. The Centennial Lakes Police Department (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:

A. City licenses: All Liquor, Massage, Pawn, Adult Oriented Business and Cigarette

271.03 Authorization to Access Data. In conducting the criminal history background investigation in order to screen license applicants, the Police Department is

authorized to access data maintained in the Minnesota Bureau of Criminal Apprehensions (BCA) 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 authority, including the City Council, the City Administrator or other city staff involved the license approval process.

271.04 Applicant Authorization. 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. Except for the positions set forth in Minnesota Statutes Section 364.09, 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 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:

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 the license.
D. That all competent evidence of rehabilitation will be considered upon reapplication.