

ORDINANCE NO. 5369

AN ORDINANCE AUTHORIZING THE POLICE DEPARTMENT TO COLLECT FEES FOR THE PERFORMANCE OF CRIMINAL BACKGROUND INVESTIGATIONS ON CITY EMPLOYMENT APPLICANTS AND CITY LICENSE APPLICANTS BY ADDING SECTION 2.20.030 TO THE RAPID CITY MUNICIPAL CODE.

WHEREAS, the State of South Dakota has given municipalities the general police power to promote the health, safety, morals, and general welfare of the community; and

WHEREAS, the State of South Dakota has given municipalities the power to hire employees to carry out the functions of the municipalities; and

WHEREAS, the State of South Dakota has given municipalities the power to require that certain businesses obtain licenses as a condition of conducting business within the city; and

WHEREAS, the City requires background checks for certain employees and as a condition for licensing certain businesses per Title 5 of the Rapid City Municipal Code; and

WHEREAS, pursuant to State law, the Division of Criminal Investigation conducts criminal background checks for the City of Rapid City; and

WHEREAS, fingerprinting is necessary to allow the Division of Criminal Investigation to conduct a reasonably thorough criminal background investigation; and

WHEREAS, the Division of Criminal Investigation charges the City a fee for conducting criminal background checks; and

WHEREAS, the Rapid City Police Department incurs expenses in collecting fingerprints and forwarding them to the Division of Criminal Investigation; and

WHEREAS, the Common Council of the City of Rapid City deems it to be in the City's best interests to adopt an ordinance authorizing the Rapid City Police Department to collect fees offsetting the expense of conducting criminal background investigations.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Chapter 2.20 of the Rapid City Municipal Code be amended by adding Section 2.20.030 to read as follows:

2.20.030 Fees For Criminal Background Investigation.

A. In addition to the license application fee charged by the City, each applicant for a business license, the issuance of which is conditioned upon the applicant undergoing a criminal background investigation, shall pay to the Finance Office the amount DCI charges for such investigations.

B. The Rapid City Police Department shall also charge each such license applicant \$15, plus applicable sales tax, for fingerprinting and forwarding to DCI. The applicant shall pay the \$15, plus applicable sales tax, to the Finance Office at the time the license application fee and the DCI fee are paid.

C. For each City employment applicant, the Department to which the application is made shall pay the DCI investigation fee. The fee for the Rapid City Police Department's expense for fingerprinting and forwarding to DCI is hereby waived for City employment applicants.

CITY OF RAPID CITY

ATTEST:

Mayor

Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: