



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

OFFICE OF THE CITY ATTORNEY

300 Sixth Street

Michael Schad, Assistant City Attorney
City web: www.rcgov.org

Phone: 605-394-4140
Fax: 605-394-6633
e-mail: mike.schad@rcgov.org

MEMORANDUM

TO: Legal and Finance Committee

FROM: Michael Schad, Assistant City Attorney

DATE: July 1, 2008

RE: Ordinance No. 5369

After discussing the original version of this ordinance with Kevin Thom, I am suggesting that several changes be made to the ordinance. The changes will more accurately describe what it is that the Police Department and DCI will be doing. Rather than “background checks”, Mr. Thom suggested that we substitute the term “history records check”. This change should be made in the preamble as well as in the body of the ordinance. “Investigation” has a more in depth connotation than does “history records check”. This change should be made in the preamble, as well as in the body of the ordinance. All of these changes are meant to more accurately reflect what is being done. “Investigation” has a more in depth connotation than does “history records check”. DCI will not be conducting an investigation, as that entity understands the term. Rather, the RCPD and DCI will be conducting a criminal history records check.

Thus, the Ordinance should read:

2.20.030 Fees For Criminal History Records Check

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~~ history records check, shall pay to the Finance Officer the amount DCI charges for such ~~investigations~~ criminal history records check.

B. The Rapid City Police Department shall also charge each such license applicant \$15, plus applicable sales tax, for fingerprinting and ~~forwarding to the DCI processing~~. 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~~ processing fee. The fee for the Rapid City Police Department's expense for fingerprinting and ~~forwarding to DCI processing~~ is hereby waived for City employment applicants.

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cc: Mayor Hanks
Public Works Committee