

CODE

ORDINANCE NO. 4633

AN ORDINANCE AMENDING CHAPTER 5 AND CHAPTER 7 OF THE BEAVERTON CITY CODE RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS

Whereas, Beaverton Code currently has provisions on the police chief's duties with regard to making an informed recommendation to Council for liquor license approvals and reviewing second hand dealer permits. There is currently no language in the City Code specific to conducting criminal history background checks in conjunction with these reviews; and,

Whereas, this ordinance will amend existing code provisions to clearly establish that the police chief has the authority to conduct criminal history background checks in connection with the liquor license applications and second hand dealer applications; and,

Whereas, the clarification of this ordinance is intended to satisfy concerns raised by the Department of State Police regarding use of the Law Enforcement Data System (LEDS) in running background checks; now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. Chapter Five of the Beaverton City Code is amended by striking sections BC 5.02.220 relating to the Police Chief's duties in connection with the review of applications for liquor licenses, and inserting the following:

5.02.220 Police Chief's Duties.

A. Upon receipt of a completed liquor license application, the police chief shall review the application. The purpose of the review is to gather facts that are helpful in making an informed recommendation to the Council as to whether or not the Council should recommend approval of the application to the Commission. The scope of the police chief's review may include any matter reasonably related to the standards and criteria set forth in this ordinance or in state law relating to the issuance of the type of liquor license for which a person has applied. The police chief shall make a recommendation to the Council upon completion of the review. The police chief may conduct criminal history background checks in conjunction with the review.

B. If the police chief finds that a review of the same or substantially similar issues has occurred within the previous 60 days and it is determined that the application does not warrant updated review, then the police chief may waive any fees as provided in BC 5.02.215, may waive review of the applicant as provided in BC 5.02.215 and may waive public notice as provided in BC 5.02.235.

Section 2. Chapter Seven of the Beaverton City Code is amended by striking sections BC 7.10.030(D) relating to secondhand dealer permits and inserting the following:

7.10.030 Application Process

D. The applicant shall complete relevant portions of the application form and return it to the City. At the time the applicant submits the completed application, the applicant shall pay a fee to the City in an amount determined under Council resolution. The police chief shall review the application after the applicant has paid the fee. The scope of the police chief's review may include any matter reasonably related to the standards and criteria set forth in this ordinance or in state law relating to the issuance of the type of secondhand dealer permit for which a person has applied. The police chief may conduct criminal history background checks in conjunction with the review.

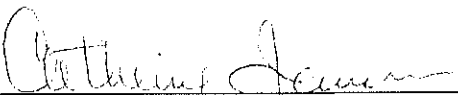
First reading this 18 day of February, 2014.

Second reading by the Council this 25 day of February, 2014.

Approved by the Mayor this 26 day of February, 2014.

ATTEST:

APPROVED:



CATHERINE JANSEN, City Recorder



DENNY DOYLE, Mayor