



TWO RIVERS

WISCONSIN

POLICE DEPARTMENT

1717 E. Park Street
P.O. BOX 87
Two Rivers, WI 54241-0087



Date: January 12, 2023

To: Gregory E. Buckley, City Manager

From: Ben Meinnert, Chief of Police

Ref: **Ordinance Amendments:**

Clarification incorporating the use of criminal records
inspections and background investigations

The Wisconsin Transaction Information for the Management of Enforcement System (TIME System) is a statewide criminal justice/law enforcement system managed by the Wisconsin Crime Information Bureau (CIB), and utilized by the Two Rivers Police Department for a variety of purposes, including criminal records inspections for background investigations in employment and licensing purposes for the City of Two Rivers.

In a recent audit, normally done every 3 years, our ordinances were found in need of amendment/clarification in order to utilize TIME for this purpose.

The following items are suggested to be included in ordinance amendments:

- **Sec. 2-3-4. – Powers of city manager; appointments.**

D. All appointments shall be purely on merit and with a view to securing the best available appointee for the position. Due consideration shall be given to training, experience, ability, and general qualifications and fitness for performing the duties of the office, **and completion of a criminal records inspection and background check by the Chief of Police or their designee.**
- **Sec. 6-4-5. - Investigation.**

A. Upon receipt of each application, **the applicant shall undergo a criminal records inspection and background check by the Chief of Police or their designee.** The chief of police shall make and complete an investigation of the statements made in such registration.



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- **Sec. 6-2-2. - Procedure upon application.**

A. The city clerk may issue an operator's license, which license shall be granted only upon application, in writing, on blanks to be obtained from the city clerk and only to persons 18 years of age and older. Operator's licenses shall be operative only within the limits of the city.

B. Upon receipt of each application, the applicant shall undergo a criminal records inspection and background check by the Chief of Police or their designee. The applicant may not have an arrest or conviction record subject to Wis. Stats. § 111.335, may not have been convicted of a felony and may not be a habitual law offender.

- **Sec. 6-1-7. - Investigation—Class B licenses.**

The city clerk shall notify the chief of police, health officer, chief of the fire department and building inspector of each application, and these officials shall inspect or cause to be inspected each application and the premises, together with such other investigation as shall be necessary to determine whether the applicant and the premises sought to be licensed comply with the regulations, ordinances and laws applicable thereto, including those governing sanitation in restaurants and whether the applicant is a proper recipient of a license. The applicant shall undergo a criminal records inspection and background check by the Chief of Police or their designee. These officials shall furnish to the city council, in writing, the information derived from such investigation, accompanied by a recommendation as to whether a license should be granted or refused. No license shall be renewed without a reinspection of the premises and report as originally required.

- **Sec. 6-6-1. - Taxicab license; application.**

A. License required. No taxicab shall be operated upon the streets of the city for the purpose of transporting passengers to and from locations within the boundaries of the city until a license has been obtained from the city council therefor.

B. Taxicab defined. As used in this section, the following terms shall have the meanings indicated:

Taxicab. Includes all vehicles carrying passengers for hire for which public patronage is solicited, excepting the municipal bus system.



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C. Application form. Applications for licenses for taxicabs shall be made by the owner thereof upon blank forms to be furnished by the city clerk. Any such application shall contain the full name and address of the owner, the make, model and year, engine number and the factory number of the motor vehicle. **The applicant shall undergo a criminal records inspection and background check by the Chief of Police or their designee and the chief of police shall make and complete an investigation of the statements made in such registration.**

- **Sec. 6-9-3. - Massage establishment license.**
- **SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD (DOCX) OF SECTIONEMAIL SECTIONCOMPARE VERSIONS**
 - A. No person, corporation, or other legal entity shall suffer, cause or permit the conduct of a massage establishment without having first obtained a license therefor from the city council. A separate license shall be required for each such establishment.
 - B. No license shall be granted for any establishment, the main entrance to which is within 75 feet of the main entrance to a residence or of the common entry hall to residences, nor for any room or rooms in any hotel or motel.
 - C. Application shall be made in writing on forms supplied by the city clerk.
 - D. All applications shall include:
 - (1) A nonrefundable fee as provided for in title 1 of this Code;
 - (2) The location and mailing address of the proposed establishment;
 - (3) For an individual or for each person of a partnership or joint venture or agent of a corporation:
 - (a) Name and present address;
 - (b) The two immediately previous addresses, and dates of residences at each;



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- (c) Height, weight, color of hair and eyes, social security number, written proof of age, full set of fingerprints and two photographs not less than 30 days old, and at least two inches by two inches;
- (d) The business or occupation for the two years immediately preceding the date of application;
- (e) Whether a similar license has been revoked or suspended and, if so, the reason therefor and the location thereof;
- (f) Whether convicted of any crime or ordinance violation other than traffic offenses within the past three years and, if so, a listing of the same and the locations thereof.
- (g) **The applicant shall undergo a criminal records inspection and background check by the Chief of Police or their designee and the chief of police shall make and complete an investigation of the statements made in such registration.**

- **Sec. 6-9-4. - Massage technician's and manager's license.**

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- A. No person shall act or operate for a consideration as a massage technician or manager without having first obtained a license to do so.
- B. Applications for licenses shall be in writing on forms supplied by the city clerk and shall include:
 - (1) A nonrefundable fee as provided for in title 1 of this Code.
 - (2) Applicant's full name and present address, social security number, written proof of age in excess of 18 years, height, weight, color of hair and eyes, full set of fingerprints and two photographs not less than 30 days old and at least two inches by two inches;
 - (3) Applicant's two previous addresses and dates of residence at each;



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- (4) The applicant's business, occupation or employment during the two years immediately preceding date of application;
- (5) Whether the applicant has had a similar license revoked or suspended and, if so, the reason therefor and the location thereof;
- (6) Whether the applicant has been convicted of any crime or ordinance violation other than traffic offenses within the past three years and, if so, a listing of the same and the locations thereof;
- (7) For technicians only, a certificate from a licensed physician that the applicant has been examined and found to be free of communicable diseases and showing that such examination occurred less than 30 days prior to the date of application;
- (8) The name and address of the licensed massage establishment by which the applicant is employed; and
- (9) A statement signed by the applicant that all information contained therein is true and correct.
- (10) **The applicant shall undergo a criminal records inspection and background check by the Chief of Police or their designee and the chief of police shall make and complete an investigation of the statements made in such registration.**

- **Sec. 6-13-2. - Application for a short-term rental license.**

A. No person shall maintain, manage or operate a short-term rental more than ten nights a year without a license issued by the City of Two Rivers pursuant to this section.

B. Applications for a license shall follow the following procedures:

- (1) All applications for a license shall be filed with the city clerk on forms provided. Applications must be signed by the property owner and, if applicable, the authorized property manager(s). The property owner's contact information including mailing address, physical address, email address and 24-hour phone number shall be provided. No license shall be issued unless the completed application is accompanied by payment of the required fee.



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(2) ~~Upon receipt of each application, the chief of police will conduct an investigation of the statements in the application~~ Upon receipt of each application, the applicant shall undergo a criminal records inspection and background check by the Chief of Police or their designee and the chief of police shall make and complete an investigation of the statements made in such registration, and may refuse to approve the application if:



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