

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF NORTHFIELD ENACTING A CITY IDENTIFICATION CARD PROGRAM IN THE PUBLIC INTEREST

THE CITY COUNCIL OF THE CITY OF NORTHFIELD DOES ORDAIN THAT:

SECTION 1. Northfield Code, Chapter 2 – Administration, Article I. – In General, is hereby amended to include a new Division 3. – City Services Cards, which shall read as follows:

DIVISION 3. – CITY SERVICES CARDS

Sec. 2-26. - Findings.

The City recognizes that many residents of the City of Northfield do not have adequate access to valid forms of identification, and therefore may have difficulty obtaining services and participating in programs and activities from the City and local business. The City finds that the establishment of a City identification card program will aid the general welfare of the community and will be a positive and productive resource for all City residents to access services, programs and activities in the City.

Sec. 2-27. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City means the City of Northfield.

City identification card means the City identification card issued by the City that displays the cardholder’s full legal name; preferred name; gender identification including options for “male, female, non-binary, x”; date of birth; residence address; photograph; and an expiration date.

Program administrator means the City Administrator or the City Administrator’s designee to issue and administer the City identification card, who may be an employee or department of the City or a contracted third party administrator.

Resident means a person who resides within the City corporate boundaries for a minimum of 15 continuous days and who presents proof of residency as specified in this Division.

Third party administrator means a person or party authorized to issue and administer the City services card program.

Sec. 2-28. - Issuance and purpose of City services card.

- (a) The program administrator is authorized to issue a City identification card to any resident who satisfies the application requirements set forth in this Division and pays the applicable fee.
- (b) The program administrator will cause the City identification card to be produced in a form to prevent unauthorized replication or counterfeiting.

- (c) A City identification card expires four years from the date of issuance. A person must surrender a City services card when the card expires, or when the person no longer resides within City corporate boundaries, or when the person is no longer present within City corporate boundaries for a continuous period of 90 days.
- (d) The purpose of the City identification card is to provide a resident with a means to demonstrate residency within the City in order to access City programs, services, and activities, and to provide a means to substantiate a person's identity.

Sec. 2-29. - Application.

- (a) As provided in this section, the City Administrator may issue a City identification card to an applicant who under penalty of perjury submits a complete application, demonstrates proof of identity, demonstrates proof of residency within City corporate boundaries, and makes payment of the applicable fee.
 - (1) Proof of identity. An applicant must present a minimum of two of the following identity documents. At least one document must display a current photograph of the applicant and name, and one document must display the applicant's date of birth. A document that demonstrates the applicant's identity must be in English, must be an original or a copy certified by the issuing agency, and the document must not be expired. If the applicant's current legal name is different from the identity document, the applicant must submit proof of a lawful change of name.
 - a. Driver's license or identification card issued by any state in the U.S.;
 - b. Tribal driver's license or identification card;
 - c. Consular identification cards;
 - d. U.S. permanent resident card (commonly known as a "green card");
 - e. Birth certificate issued by any state, territory or possession of the U.S. (excluding hospital records/certificates and abstracts of birth);
 - f. U.S. certificate of birth abroad (FS-240, 545 or DS-1350);
 - g. U.S. passport or passport card;
 - h. Minnesota identification card;
 - i. Tribal or Bureau of Indian Affairs affidavit of birth;
 - j. Foreign passport (excluding passports from countries subject to Office of Foreign Assets Control (OFAC) sanctions);
 - k. U.S. Citizenship and Immigration Services (USCIS) Employment Authorization Card (EAC);
 - l. U.S. certificate of naturalization;
 - m. U.S. certificate of citizenship;
 - n. U.S. military DD-214;
 - o. U.S. military identification card (active duty, reserve or retired);

- p. Released offender identification from the Minnesota Department of Corrections (with photo); or
 - q. Photo identification card issued by the federal government of a foreign country (excluding countries subject to OFAC sanctions) that meets all of the following requirements:
 - (1) The issuing country authorizes the use of the card as an alternative to a passport for re-entry into the issuing country; and
 - (2) The card has a photograph of the applicant and the applicant's date of birth; and
 - (3) The card meets standards established by the program administrator to ensure that (A) the applicant was required to provide reliable identifying information in order to obtain the card; and (B) the card has features reasonably designed to protect against fraud and counterfeit reproduction;
 - r. U.S. Social Security Administration card;
 - s. U.S. military dependent identification card;
 - t. U.S. Armed Forces driver's license;
 - u. U.S. Department of Veterans Affairs card;
 - v. U.S. Department of Justice inmate identification card;
 - w. U.S. Selective Service card;
 - x. W-2 form issued by an employer in any state, territory or possession of the U.S.;
 - y. Concealed carry permit issued by any state, territory or possession of the U.S.;
 - z. Medical insurance identification card;
 - aa. Professional license issued by any state, territory or possession of the U.S.;
 - bb. Bank card issued by a bank that does business in any state, territory or possession of the U.S.;
 - cc. Credit card issued by a bank that does business in any state, territory or possession of the U.S.;
 - dd. Employee identification badge (with photo) issued by an employer in any state, territory or possession of the U.S.;
 - ee. School identification (with photo) issued by a school in any state, territory or possession of the U.S.; or
 - ff. Marriage certificate issued by any state, territory or possession of the U.S.
- (2) Proof of residency. To establish residency, an applicant must present one of the following documents, which must include both the applicant's name and a residential address located within City corporate boundaries. An applicant may prove residency using documents bearing the name of a spouse if the applicant presents a certified copy of a marriage certificate.

- a. Utility bill dated within the last 30 days;
 - b. Written verification confirming a minimum of 15 days of residency within the last 30 days issued by a Minnesota licensed homeless shelter;
 - c. Written verification issued by a hospital, health clinic or Rice/Dakota County social services agency confirming a minimum of 15 days of residency within the last 30 days;
 - d. Local property tax statement or mortgage payment receipt dated within the last 30 days;
 - e. Bank account statement dated within the last 30 days;
 - f. Proof of current enrollment in a school located within City corporate boundaries;
 - g. Employment pay stub dated within the last 30 days;
 - h. Jury summons or court order issued by a State or Federal court dated within the last 30 days;
 - i. Federal or State income tax or refund statement dated within the last 30 days; or
 - j. Insurance bill (homeowner's, renter's, health, life or automobile insurance) dated within the last 30 days.
- (b) A minor may demonstrate residency through the residency of the applicant's parent or legal guardian if: (1) the applicant cannot produce any of the items set forth above; and (2) the parent or legal guardian satisfies the requirements for a City services card. An application completed on behalf of a minor must be completed by the minor's parent or legal guardian.
- (c) The program administrator may accept additional forms of proof of identity or proof of residency; provided that the program administrator determines that such forms of proof are:
- (1) Issued by a government entity;
 - (2) Issued by an entity that takes reasonable steps to verify the identity or residency of the individual to whom the item is issued; or
 - (3) Routinely (or commonly) accepted as proof of identity or proof of residency in the ordinary course of business.
- (d) The City, or the third party administrator if applicable, shall maintain only that data for the City services card as required by applicable State law.

Sec. 2-30. - Implementation.

The program administrator or the administrator's designee is authorized to adopt rules and regulations consistent with this article or as necessary to issue and administer the City identification card. The City shall require applicants to declare the information provided in their applications under penalty of perjury.

Sec. 2-31. - Fees.

An applicant for a City identification card must pay a fee in an amount to be set by the city council from time to time by resolution.

Sec. 2-32. - Acceptance by City departments.

- (a) When City identity or residency is required, a City department is authorized to accept a City identification card issued pursuant to this Article as lawful identification and lawful proof of residency within City corporate boundaries. The Northfield Police Department may also use other identification forms and processes as necessary to substantiate the identification of a person.
- (b) Other than to demonstrate identity and City residency, this Article is not intended to replace any other existing requirements for issuance of other forms of identification in connection with the administration of City benefits and services.
- (c) This section does not apply when:
 - (1) A Federal or State statute, administrative regulation or directive, or court decision requires the City to obtain different identification or proof of residency;
 - (2) A Federal or State statute or administrative regulation or directive preempts local regulation of identification or residency requirements; or
 - (3) Prohibited by the terms and conditions imposed on the City by a funding source.
- (d) Nothing in this section is intended to prohibit City departments from requiring additional information from a person to verify the person's current address or other information required by the department to fulfill the department's responsibilities.
- (e) No City department must accept a City identification card if the department reasonably believes that the City services card is counterfeit, altered, or improperly issued to the cardholder; or the individual presenting the City identification card is not the individual to whom it was issued; or otherwise is determined not to be accurate identification.
- (f) In undertaking the adoption and enforcement of this ordinance, the City is assuming an undertaking only to promote the general welfare of its residents. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

Sec. 2-33. - Cardholder's responsibilities.

- (a) A cardholder must notify the program administrator within 14 days of any change in address within the City. Upon receipt of notification, the program administrator will issue a notice of new address to be carried with the City identification card.

- (b) If a cardholder no longer resides within City corporate boundaries or expects to reside outside the City corporate boundaries for a period of more than 90 consecutive days, the cardholder must surrender the City identification card issued under this Article by mailing the card to the program administrator with an acknowledgement of an intent to reside elsewhere.

Sec. 2-34. - Suspension and revocation of card.

A City identification card may be suspended or revoked by the program administrator for violation of rules and regulations adopted by the program administrator or for a violation of this article.

Sec. 2-35. - Counterfeit and fraudulent card.

It is a misdemeanor violation of this Code for any person or entity to do any of the following acts:

- (a) Knowingly presents false information to the City in the course of applying for a City identification card;
- (b) Alters, copies, or replicates a City services card without the authority of the City; or
- (c) Uses the City identification card issued to another cardholder with the intent to cause a third person or entity to believe that the card user is the person to whom the card was issued.

Sec. 2-36—2-50. - Reserved.

SECTION 2: This Ordinance shall take effect on February 20, 2017 and at least thirty days after its publication.

Passed by the City Council of the City of Northfield, Minnesota, this ____ day of _____ 2017.

ATTEST:

City Clerk

Mayor

First Reading: _____
Second Reading: _____
Published: _____

VOTE: _____ POWNELL _____ COLBY _____ DELONG _____ NAKASIAN
_____ NESS _____ PETERSON WHITE _____ ZWEIFEL