

**MISSOURI MUNICIPAL LEAGUE**

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**The 15 Critical Court Cases Every Missouri Municipal  
Official Must Know**

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## The 15 Critical Cases Every Missouri Municipal Official Must Know<sup>1</sup>

1. **Hammerschmidt** *aka Hammerschmidt v. Boone County*, 877 S.W.2d 98 (Mo. 1994)—**Single Subject, Clear Title Rule**. Article III, section 23, is one of several procedural limitations imposed by the people through the Constitution over legislative action. It provides, “No bill shall contain more than one subject which shall be clearly expressed in its title.” Besides clarity, the purpose of article III, section 23, is to prevent “logrolling”—the practice of combining a number of unrelated amendments in a bill, none of which alone could command a majority, but which, taken together, combine the votes of a sufficient number of legislators having a vital interest in one portion of the amended bill to muster a majority for its entirety. The legislature had joined two seemingly unrelated bills – one changing various election procedures and one permitting Boone, Jefferson and Clay Counties to adopt county constitutions. The court concluded that changes in the county form of government did not have a natural connection to the subject of elections and that they neither furthered that goal nor were a necessary incident to achieving it.
  - The rule **does not apply to cities** (unless the city’s charter contains similar language to the constitution). *Drury v. City of Cape Girardeau*, 66 S.W.3d 733 (Mo. 2002). “The Cape Girardeau City Charter, section 3.14(a), contains two provisions regarding the titles of ordinances introduced for passage in the City Council: ‘Every such ordinance shall be by bill in written or printed form with the subject of the ordinance clearly expressed in its title’ and ‘No ordinance except those making appropriations of money and those codifying or revising existing ordinances shall contain more than one (1) subject, which shall be clearly expressed in its title.’ This language is similar to Missouri Constitution article III, section 23, which says that ‘No bill shall contain more than one subject which shall be clearly expressed in its title, except [certain bills related to state indebtedness] and general appropriation bills, which may embrace the various subjects and accounts for which moneys are appropriated.’” City ordinance to increase and extend the hotel/motel/restaurant license tax and to call an election on the question of whether to approve the amendments complied with the single-subject requirement of the city charter, even though the title mentioned the increase, but not the purpose of the increase; each provision of the ordinance was closely allied, fit and appropriate, and of similar nature to the subject expressed in the title.
2. **Green’s Bottom** *aka State ex rel. Green’s Bottom Sportsmen, Inc. v. St. Charles County Board of Adjustment*, 553 S.W.2d 721, 726 (Mo. App. E.D. 1977)—**Unauthorized Acts of City Officials, Equitable Estoppel**. Green’s Bottom Sportsmen, Inc. built a gun club facility in an area zoned F-P (Flood Plain District)

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<sup>1</sup> Rankings are based on subjective criteria determined by the author, based solely on the author’s experience, or lack thereof, and have been formulated in the absence of real scientific data or anecdotal evidence.

after obtaining land use and building permits from the Zoning Commissioner. After shooting started, nearby homeowners brought an appeal to the Board of Zoning Adjustment requesting revocation of the permits on the basis that a gun club is not a permissible use in the district. Board held a public hearing and revoked the permits. The gun club argued that the Board should not be allowed to revoke the permits because revocation was an undue hardship on the gun club since it had a right to rely on the actions of the Zoning Commission. The court rejected those arguments and enjoined the operation of the gun club. (“The doctrine of estoppel is not generally applicable against a governmental body and if applied, it is done so only in exceptional circumstances and with great caution. . . . Further, it is a well established principle in Missouri that a governmental unit is *not estopped by illegal or unauthorized acts of its officers* . . . it is recognized that a building permit for construction issued but unauthorized under the ordinance is void and a city is not estopped because its employee issued the license or permit.”) (*citing State ex rel. Walmar Inv. Co. v. Mueller*, 512 S.W.2d 180, 184 (Mo. App. 1974)); *JGJ Properties, LLC v. City of Ellisville*, 303 S.W.3d 642, 650-52 (Mo. App. E.D. 2010) (Refusing to estop City from denying rezoning to commercial even though City Planner assured applicant that the land was appropriate for commercial use and applicant received a variance conditioned on the rezoning of the properties because “it is generally true that estoppel will not lie against City based upon the statements and actions of its agents[.]”) *Fraternal Order of Police Lodge No. 2 v. City of St. Joseph*, 8 S.W.3d 257, 263 (Mo. App. W.D. 1999) (“Equitable estoppel is normally not applicable against a governmental entity . . . . The application of equitable estoppel against governmental entities or public officers is limited to exceptional circumstances where right of justice or the prevention of manifest injustice requires its application . . . . This doctrine is not favored by law and is not to be casually invoked . . . . Equitable estoppel is not applicable if it will interfere with the proper discharge of governmental duties, curtail the exercise of the state's police power or thwart public policy . . . . The underlying principle behind its limited application to governmental entities and public officials is that public rights should yield only if private parties possess greater equitable rights.”) (internal citations omitted).

3. **Keller aka Keller v. Marion County Ambulance District**, 820 S.W.2d 301 (Mo. banc 1991)—**Tax or User Fee; vote required?** On November 4, 1980, the people of Missouri adopted an amendment, known as the Hancock Amendment, to the Missouri Constitution by which the people limited the power of Missouri governments to raise taxes. Specifically, it declares in § 22(a) that: “Counties and other political subdivisions are ... prohibited ... from increasing the current levy of an existing tax, license or fees ... without the approval of the required majority of the qualified voters of that ... political subdivision.” *Keller* enunciated a five-part test to be used in determining what constitutes a “tax, license or fee” for purposes of the Hancock amendment. These factors should be considered in totality and no factor should be considered independently controlling of the analysis.

- 1) *When is the fee paid?* Fees subject to the Hancock Amendment are likely due to be paid on a periodic basis.

2) *Who pays the fee?* A fee subject to the Hancock Amendment is likely to be blanket-billed to all or almost all of the residents of the political subdivision.

3) *Is the amount of the fee to be paid affected by the level of goods or services provided to the fee payer?* Fees subject to the Hancock Amendment are less likely to be dependent on the level of goods or services provided to the fee payer.

4) *Is the government providing a service or good?* If there is no good or service being provided, or someone unconnected with the government is providing the good or service, then any charge required by and paid to a local government is probably subject to the Hancock Amendment.

5) *Has the activity historically and exclusively been provided by the government?* If the government has historically and exclusively provided the good, service, permission or activity, the fee is likely subject to the Hancock Amendment.

4. **Cape Motor Lodge** *aka Cape Motor Lodge, Inc. v. City of Cape Girardeau*, 706 S.W.2d 208 (Mo. 1986); **Dillon’s Rule—Authority**. Art. 6, § 19(a) “clearly grants to a constitutional charter city all power which the legislature is authorized to grant. ... even in the absence of an express delegation by the people of a home rule municipality in their charter, *the municipality possesses all powers* which are not limited or denied by the constitution, by statute, or by the charter itself.” Conversely, “[s]tatutory cities [third class, fourth class and villages], acting without a constitutional home rule charter, cannot act without specific grants of power.”

- Dillon’s Rule governs basic questions of local governmental authority in Missouri. It limits local authority to “(1) those [powers] granted in *express words*; (2) those necessarily or *fairly implied* in or incident to the powers expressly granted; (3) those *essential to the declared objects and purposes* of the corporation—not simply convenient, but indispensable.” *State ex rel. City of Blue Springs v. McWilliams*, 335 Mo. 816 (Mo. 1934), (citing 1 Dillon on Municipal Corporations § 89 (3d ed.)); see *State ex rel. Birk v. City of Jackson*, 907 S.W.2d 181 (Mo. App. E.D. 1995).

5. **Watchtower** *aka Watchtower Bible and Tract Society of New York v. Village of Stratton*, 122 S.Ct. 2080 (June 17, 2002)—**Door-to-Door Solicitation**. The U.S. Supreme Court declared unconstitutional an ordinance that required all solicitors, peddlers, etc. to register with Village before going door-to-door. At issue was the Village of Stratton’s ordinance requiring registration with the Village of all canvassers, solicitors, peddlers, hawkers, itinerant merchants or transient vendors or merchandise or services. The Village’s ordinance “making it a misdemeanor to engage in door-to-door advocacy without first registering with the Mayor and receiving a permit violates the First Amendment *as it applies to religious, proselytizing, anonymous political speech, and the distribution of handbills.*” The Court did not say that the Village’s ordinance establishing a procedure by which a resident may prohibit specific types or all types of solicitation by filing a “No Solicitation Registration Form” with Mayor and by posting a “No Solicitation” sign on the resident’s property was improper since it was not challenged in the case. Many times such ordinances are based on the government’s interest in preventing

fraud. The Court suggested that this kind of “purely commercial solicitation” may be regulated by ordinance: “Had this [solicitors registration] provision been construed to apply only to commercial activities and the solicitation of funds, arguably the ordinance would have been tailored to the Village’s interest in protecting the privacy of its residents and preventing fraud.”

- In effect, the court said that solicitors or canvassers accepting donations while spreading their message is not enough to require a “commercial solicitations” application. This is in keeping with earlier case law that looks to protect speech even when fundraising may be a substantial purpose of the canvassing efforts. *Village of Schaumburg v. Citizens for a Better Environment*, 444 U.S. 620 (1980) (declaring unconstitutional an ordinance that required door-to-door charitable soliciting organizations to use at least 75% of the funds raised through solicitation for “charitable purposes”). The court reasoned that such door-to-door charitable fundraisers are characteristically intertwined with the giving of information on economic, political, or social issues and that without such solicitation, the flow of information would cease. Because charitable solicitation does more than inform private economic decisions, it is not treated as a variety of purely commercial speech.

6. **University of Missouri aka Brennan by & through Brennan v. Curators of the Univ. of Missouri**, 942 S.W.2d 432 (Mo. Ct. App. 1997)—**Sovereign Immunity**. Person’s suing the government must plead waiver of sovereign immunity. Patient who had been treated at state university hospital failed to allege that Curators of university had adopted a general liability plan operating as self–insurance plan and that the plan covered the patient’s medical malpractice claims arising from treatment, as required to establish waiver of sovereign immunity by curators and allow recovery by patient in action. “[T]he purchase of liability insurance may function as a waiver of sovereign immunity under [Section 71.185 RSMo].” “Public entities may, however, acquire insurance under §§ 71.185 and 537.610 and, as a result, subject themselves to suit within the limitations described in the statutes.” *Id.* at 437. “The only way for appellants to penetrate the Curators’ immunity is to demonstrate the existence of the General Liability Plan *and* that it covers the claims asserted by appellants against the Curators. Appellants did not do so and, as a result, failed to state a claim for relief.” *Id.* at 436. **Plaintiffs “were obligated to plead facts sufficient to allege a waiver of sovereign immunity...”** *Id.* at 437.

- *Topps v. City of Country Club Hills*, 272 S.W.3d 409, 418 (Mo. Ct. App. 2008) A “public entity retains its full sovereign immunity when the insurance policy contains a disclaimer stating that the entity’s procurement of the policy was not meant to constitute a waiver of sovereign immunity.” Court found that the disclaimer provision in the City’s MOPERM policy acted to retain the City’s sovereign immunity. See also *State ex rel. Bd. of Trustees of City of North Kansas City Mem’l Hosp. v. Russell*, 843 S.W.2d 353, 360 (Mo. banc 1992); *Conway v. St. Louis County*, 254 S.W.3d 159, 167 (Mo.App. E.D.2008); *Langley*, 73 S.W.3d at 811 (“A public entity does not waive its sovereign immunity by maintaining an insurance policy where that

policy includes a provision stating that the policy is not meant to constitute a waiver of sovereign immunity.”)

7. **Gilleo aka City of Ladue v. Gilleo**, 512 U.S. 43 (1994)—**Freedom of Speech; Political Signs**. City ordinance banned all signs on residential property except for 10 narrow categories. Plaintiff had a 24- by 36-inch sign printed with the words, “Say No to War in the Persian Gulf, Call Congress Now” after it disappeared numerous time, she then placed an 8.5- by 11-inch sign in the second story window of her home stating, “For Peace in the Gulf.” The City responded with an ordinance that prohibited all signs except those that fall within 1 of 10 exemptions. Political speech enjoys the highest level of constitutional protection, including as applied in the zoning context. Communities may not wholly ban political signage on private property in a residential district, even on the basis of aesthetics or safety.
  - Although cities may regulate the size, number and duration of temporary signs on private property and may require the signs’ removal after some period of time, a prohibition on political signs more than 30 days before the election and required removal within 7 days of the election fails constitutional scrutiny as being content-based when only applied to “political signs” *Whitten v. City of Gladstone, Mo.*, 54 F.3d 1400 (8<sup>th</sup> Cir. 1995). Further, to the extent a municipality permits illumination of commercial signage, the municipality must permit illumination of permanent political signage. *Id.*
  
8. **Village Lutheran II/Temple Israel aka Village Lutheran Church v. City of Ladue**, 997 S.W.2d 506, 508 (Mo. App. E.D. 1999)—**zoning power over religious institutions**. Zoning enabling Act, Section 89.020, RSMo., “does not give municipalities *zoning* power over churches. Any regulatory power a municipality may have over churches is purely for safety regulation.” The City was not permitted to apply its requirement of a 50-foot side yard to an addition to a church building which included a basketball court and classrooms. “The fact that a municipality exercises some control over the conduct of churches is not, *per se*, violative of a church’s right to the free exercise of religion; but rather a determination of whether such regulation is tantamount to an infringement of the free exercise of religion depends on the facts and circumstances of each case.” The City’s mere requirement that the Church apply for a special use permit to add an extension to the building did not infringe on the free exercise of religion when the Church voluntarily applied for a permit.
  - *Congregation Temple Israel v. City of Creve Coeur*, 320 S.W.2d 451 (Mo. 1959). Zoning enabling act, empowering municipality to regulate ‘location and use of buildings, structures and land for trade, industry, residence or other purposes’, had granted no authority to prohibit building of either churches or schools in residence districts. The governing state statutes did not authorize zoning ordinances *which totally exclude* places of religious worship from residential areas.
  - *Chaminade Coll. Preparatory, Inc. v. City of Creve Coeur*, 956 S.W.2d 440 (Mo. Ct. App. 1997). School with religious affiliation was not a church and so

was not exempt from compliance with municipal zoning ordinances. The argument for special status for schools with a religious mission was not supported by caselaw. “There would indeed be a first amendment problem if a statute or ordinance discriminated between religious and secular private schools.” The school was “not exempt from the operation of the zoning ordinances or from obtaining a special use permit which is otherwise required.”

- *Kirkwood Baptist Church v. City Council of City of Kirkwood*, 884 S.W.2d 437 (Mo. Ct. App. 1994) City Council's decision to deny a special use permit to the Church to construct a parking lot on its vacant lot located on the northeast corner of a block directly across the street from the Church was supported by competent and substantial evidence on the whole record.
- *Religious Land Use and Institutionalized Persons Act of 2000 (“RLUIPA”)*, codified at 42 U.S.C. §§ 2000cc, et seq., which was passed to protect individuals, houses of worship, and other religious institutions from discrimination in land use regulations. RLUIPA prohibits zoning laws that “substantially burden” the religious exercise of churches or other religious assemblies or institutions absent the “least restrictive means” of furthering a compelling governmental interest. Specifically, RLUIPA prohibits zoning laws that: (1) treat churches or other religious assemblies or institutions on less than equal terms with nonreligious institutions; (2) discriminate against any assemblies or institutions on the basis of religion or religious denomination; (3) totally exclude religious assemblies from a jurisdiction; or (4) unreasonably limit religious assemblies, institutions or structures within a jurisdiction.

9. **Greece aka *Town of Greece, N.Y. v. Galloway***, 134 S. Ct. 1811 (2014) –**Prayer at Meetings**. Sectarian opening prayer at town meeting did not violate the Establishment Clause. A municipality had a practice of beginning monthly council meetings with a prayer led by a local cleric. For a period of roughly a decade, all but four of these prayers were led by Christian clergy, although the town did not intentionally attempt to exclude non-Christians. The prayers did not run afoul of the Establishment Clause due to the long-standing tradition of legislative prayer in the United States. The prayer was designed to elevate the proceedings and unite the council’s members, and did not unduly proselytize or threaten damnation. Once a government invites prayer into its meetings, it cannot force the speaker to betray his or her conscience by enforcing a secular worldview.

10. **Campbell aka *State v. Campbell***, 938 S.W.2d 640, 644 (Mo.App.E.D.1997)—**Elections – public funds to support a ballot issue**. While Section 115.646 RSMo. prohibits the expenditure of public funds to “advocate, support or oppose” a candidate or ballot measure; *dissemination of purely factual information that does not “advocate, support, or oppose” a ballot measure does not violate this provision*. To determine whether a communication advocates or supports a ballot measure, factors such as “style, tenor and timing” of the communication will be considered. *Atty. Gen. Op. 54-90* (August 14, 1990) (Attorney General determined that a “public information letter” paid for by the City of St. Louis and signed by the

Mayor and the president of the Board of Aldermen advocated or supported a ballot proposition and was "within the prohibition of §115.646 if public funds were expended in the preparation and mailing of the letter." The information contained in the letter was completely favorable to the proposition and began by stating, "On Tuesday, August 8, you will have the opportunity to vote for Proposition A..." The letter ended with the following sentence: "We believe the retention of this tax is crucial to our City's ability to provide essential services.")

11. **Warrenton** *aka Engelage et al. v. City of Warrenton*, 378 S.W.3d 410 (Mo. Ct. App. 2012). Missouri courts "have long held that the police powers of a city generally extend to all within its boundaries, including other political subdivisions of the state... ." Thus, the county was subject to compliance with the City's **Building Code** and related permits and fees. The court ruled that "the legislature here vested the City, and the City alone, with authority to protect public safety." The court concluded that "[t]o hold otherwise 'would be to create little separate and independent kingdoms within the City where the sovereignty given to it by the state could not operate.'"
  - *City of Sunset Hills, v. St. Louis County, Missouri*, Case No. 13SL-CC03086, (St. Louis County Cir. Ct. Oct. 10, 2013) Applying balancing test, court held inapplicable the City's zoning ordinance prohibiting communication towers over 100 feet where county met all city requirements for a building permit.
12. **Blue Springs v. Nixon** *aka State ex rel. City of Blue Springs v. Nixon*, 250 S.W.2d 355 (Mo. 2008)—**Subdivision Plats**. Sovereign immunity bars a *negligent approval* of subdivision plat claim. In a suit by neighboring lot owner against the City for approval of plat with inadequate drainage, the court found no inverse condemnation because the City approval did not "cause" the harm; City is not "unpaid expert" or "insurer" for developer of plat.
  - But action was upheld against the City for denial of plat. See *Furlong Companies v. City of Kansas City*, 189 S.W. 3d 157 (Mo. 2006) (A plat must be approved if it meets ordinance requirements). See also *State of Missouri, ex rel. John Schaefer v. Edward Cleveland, et al.*, 847 S.W.2d 867 (Mo. App. E.D. 1992) (subdivision is ministerial); *State ex rel. Alexander & Lindsey, LLC v. Planning & Zoning Comm'n of Platte County, Mo.*, 346 S.W.3d 411, 415 (Mo. Ct. App. 2011) "If the plat complies, then it is the ministerial duty of the commission and the council to approve it, and they have no discretion to deny it."
13. **Jeff City v. DNR** *aka City of Jefferson v. Missouri Department of Natural Resources*, 863 S.W.2d 844 (Mo. banc 1993)—**Unfunded Mandates, Hancock Amendment**. Counties and cities brought suit, challenging constitutionality of statute creating solid waste management districts within solid waste management regions. Appellants contend initially that these statutes violate Article X, Section 21 of the Missouri Constitution. In relevant part, the constitution provides: "A new activity or service or an increase in the level of any activity or service beyond that required by existing law shall not be required by the General Assembly or any state agency of counties or other political subdivisions, unless a state appropriation is

made and disbursed to pay the county or other political subdivision for any increased costs.” A legislative act violates Article X, Section 21, “if both (1) a new or increased activity or service is required of a political subdivision by the State and (2) the political subdivision experiences increased costs in performing that activity or service.” *Miller v Director of Revenue*, 719 S.W2d 787, 788-9 (Mo. Banc 1986).

14. **Kelo** *aka Kelo v. City of New London*, 545 U.S. 469, 484, 125 S.Ct. 2655, 162 L.Ed.2d 439 (2005)—**Eminent Domain—Economic development = Public Purpose.** Use of eminent domain for economic development pursuant to a development plan. Economic development “unquestionably serves a public purpose.” But, under § 523.271 RSMo, the Missouri General Assembly has determined as a matter of this state's public policy that economic development may not be the sole purpose of a taking. Failure to demonstrate a purpose in addition to economic development is fatal. The taking was thus in excess of the condemnation authority, and unauthorized by law. *State ex rel. Jackson v. Dolan*, 398 S.W.3d 472, 482-83 (Mo. 2013).

- *State ex rel Mitchell v. Sikeston*, 555 S.W.2d 281 (Mo banc 1977) There is no unconstitutional “lending of credit” except where there is a public purpose; no violation of §§ 23 or 25 occurs where the expenditure of public funds is for a public purpose. *citing State ex rel. Farm Elec. Coop., Inc. v. State Env. I.A.*, 518 S.W.2d 68 (Mo. banc 1975); *State ex rel. City of Boonville v. Hackmann*, 293 Mo. 313, 240 S.W. 135 (Mo. banc 1922). “It has long been recognized in Missouri ... that the constitutional prohibitions ... are not violated when money and property are expended or utilized to accomplish a ‘public purpose.’” *Id.*
- “The presence of a legitimate ‘public purpose’ makes society or the people of this state the direct beneficiary of the expenditures. ... The law is clear in Missouri that an overriding public purpose will not suffer constitutional death at the hands of incidental private benefit.” *Americans United v. Rogers*, 538 S.W.2d 711 (Mo banc 1976)

15. **Camara** *aka Camara v. Mun. Court of City & Cnty. of San Francisco*, 387 U.S. 523, 539-40, 87 S. Ct. 1727, 1736, 18 L. Ed. 2d 930 (1967)—**Searches AND Seizures.** *Camara* stands for the proposition that entries onto private property by government officials, like searches pursuant to a criminal investigation, are governed by the warrant requirement of the Fourth Amendment. “... [I]n the case of most routine area inspections, there is no compelling urgency to inspect at a particular time or on a particular day. Moreover, most citizens allow inspections of their property without a warrant. Thus, as a practical matter and in light of the Fourth Amendment's requirement that a warrant specify the property to be searched, it seems likely that warrants should normally be sought only after entry is refused unless there has been a citizen complaint or there is other satisfactory reason for securing immediate entry. Similarly, the requirement of a warrant procedure does not suggest any change in what seems to be the prevailing local policy, in most situations, of authorizing entry, but not entry by force, to inspect.”

- *Bezayiff v. City of St. Louis*, 963 S.W.2d 225, 234-35 (Mo. Ct. App. 1997) (enjoining the City from entering private property pursuant to the

ordinance to remove inoperable vehicles without first obtaining consent or obtaining a warrant and finding ordinance unconstitutional under the Fourth Amendment insofar as it purported to authorize removal of vehicles from private property without a warrant)

- “Once it has been determined that an individual's motor vehicle violates the ordinance, the City may proceed to enforce the ordinance by either obtaining the individual's consent to enter the property or by obtaining a warrant. If the individual refuses entry upon his property, then the enforcing officials may seek a warrant by swearing out an appropriate affidavit stating that the individual's vehicle has been found to violate the City's ordinance. Armed with this warrant from a judicial officer, the official may then enter the individual's property to remove the vehicle.”
- “We do not mean to suggest that the warrant requirement extends to all entries onto private property for nuisance abatement purposes, such as removing inoperable motor vehicles. Rather, the requirement applies only to those entries which intrude upon constitutionally recognized expectations of privacy. ... For it is the prospective invasion of constitutionally protected interests by an entry onto private property and not the purpose of the entry which mandates a warrant.”
- *Benton v. City of Higginsville*, 181 S.W.3d 190, 193 (Mo. Ct. App. 2005). The seizure of automobiles *in open spaces* does not involve any invasion of privacy. No warrant is needed to seize car, visible from street, that was located on a partially fenced, vacant lot AND which lot did not contain a residence (and was down the street from plaintiff's house).
- *Frech v. City of Columbia*, 693 S.W.2d 813 (Mo. 1985) – Upholding charter city's ordinance authorizing municipal judge to issue search warrants for administrative searches conducted in connection with City's licensing procedure concerning operation of apartments and rooming houses did not violate constitution.
- *City of Overland v. Wade*, 85 S.W.3d 70 (Mo. Ct. App. 2002) Ordinance requiring landowner to mow the area abutting his property located between sidewalk and street (grassy public right-of-way) did not constitute a taking of property without due process or unconstitutionally impose involuntary servitude; ordinance was a legitimate exercise of City's police power, substantially and rationally related to the health, safety, peace, comfort, and general welfare of the citizens because the desire to maintain the beauty and aesthetics of the neighborhood were proper concerns to be addressed through the police powers of the municipality.

<b>Case (Short Name)</b>	<b>When to Use it</b>
<i>Hammerschmidt</i>	
<i>Green's Bottom</i>	
<i>Keller</i>	
<i>Cape Motor Lodge</i>	
<i>Watchtower</i>	
<i>University of Missouri</i>	
<i>Gilleo</i>	
<i>Village Lutheran II</i>	
<i>Greece</i>	
<i>Campbell</i>	
<i>Warrenton</i>	
<i>Blue Springs v. Nixon</i>	
<i>Jeff City v. DNR</i>	
<i>Kelo</i>	
<i>Camara</i>	

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