

# **Bond Case Briefs**

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## **MUNICIPAL ORDINANCE - MISSOURI**

### **Cooperative Home Care, Inc. v. City of St. Louis, Missouri**

**Supreme Court of Missouri, en banc - February 28, 2017 - S.W.3d - 2017 WL 770971**

Petitioners filed petition against city, city's board of public services, and various named city officers in their official capacities, seeking declaratory judgment that city ordinance establishing citywide local minimum wage was invalid and seeking injunctive relief to prevent city from enforcing the ordinance.

The Circuit Court entered judgment invalidating the ordinance. Petitioners and city appealed.

The Supreme Court of Missouri held that:

- Legislative bill adopting statutory provision, which prohibited municipalities from establishing minimum wage exceeding the state minimum wage, contained more than one subject, and thus violated state constitution's single subject rule;
- Statutory provision could be severed from unchallenged portions of the bill;
- City ordinance did not conflict with state's minimum wage law, and thus, ordinance was not preempted by state's minimum wage law;
- City ordinance fell under exception to state statute prohibiting political subdivisions from establishing minimum wage exceeding requirements of federal or state laws, and thus, ordinance was not preempted by state statute;
- City did not act outside of its home-rule authority in enacting city ordinance; and
- City ordinance did not violate general rule prohibiting the delegation of legislative functions by giving city official the authority to promulgate rules and regulations regarding the interpretation, application, and enforcement of the ordinance.