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MUNICIPAL ORDINANCE - MISSOURI

City of Normandy v. Kehoe

Supreme Court of Missouri, en banc - April 15, 2025 - S.W.3d - 2025 WL 1117732

Municipalities and taxpayers filed petition challenging constitutionality of statutes relating to revenue that municipalities could generate from minor traffic and municipal ordinance violations, and which established reporting requirements for same.

The Circuit Court entered judgment enjoining state from enforcing statutes on grounds that statutes were unconstitutional special laws and amounted to unconstitutional unfunded mandate, and dismissed remaining claims. State appealed.

The Supreme Court affirmed. Following intervening Supreme Court decision that restored the rational basis analysis for special laws, State filed a motion for relief from injunctive portion of judgment. The Circuit Court granted State relief. Municipalities and taxpayers appealed, and the Supreme Court vacated and remanded after determining that Circuit Court had failed to properly weigh equities. On remand, the Circuit Court denied State's motion for partial relief from judgment and its request for discovery. State appealed.

The Supreme Court held that:

- It was not a per se abuse of discretion for circuit court to deny State relief from judgment imposing permanent injunction against enforcement of unconstitutional statutes;
- Determining that the equities did not weigh in favor of granting State's motion for relief from judgment was not an abuse of discretion; and
- Circuit court did not err in denying State's burdensome discovery requests.

It was not a per se abuse of discretion for circuit court to deny State relief from judgment imposing a permanent injunction against its enforcement of statutes relating to revenue that municipalities could generate from minor traffic and municipal ordinance violations, and which established reporting requirements for same, even though the decisional law on which the injunction was based had been overruled; State was bound by the law of the case in previous appeal which upheld circuit court's injunction against enforcement of statutes as unconstitutional local or special laws, and State had made no showing of inequity demonstrating the necessity of vacating or modifying the permanent injunction.

It was not a per se abuse of discretion for circuit court to deny State relief from judgment imposing a permanent injunction against its enforcement of statutes relating to revenue that municipalities could generate from minor traffic and municipal ordinance violations, and which established reporting requirements for same, even though the decisional law on which the injunction was based had been overruled; the same judgment that imposed the permanent injunction also contained a declaratory judgment that the statutes were unconstitutional local or special laws, the declaration was affirmed on appeal, and the State had never sought relief from the declaration.

It was not an abuse of discretion for circuit court to decide the equities did not weigh in favor of

granting State’s motion for relief from judgment imposing a permanent injunction against its enforcement of statutes relating to revenue that municipalities could generate from minor traffic and municipal ordinance violations, and which established reporting requirements for same, even though the decisional law on which the injunction was based had been overruled; State had never previously argued for the rational-basis analysis that it now sought, and even if the permanent injunction was lifted the State had not challenged the declaratory judgment finding the statutes unconstitutional.

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