

**TITLE I. GOVERNMENT CODE**

**CHAPTER 100: GENERAL PROVISIONS**

**ARTICLE I. VILLAGE INCORPORATION AND SEAL**

**SECTION 100.010: VILLAGE INCORPORATION**

Whenever two-thirds (2/3) of the taxable inhabitants of any town or Village within this State shall present a petition to the County Commission of the County, setting forth the metes and bounds of their Village and commons, and praying that they may be incorporated under a Police established for their local Government, and for the preservation and regulation of any commons appertaining to such town and Village, and the County Commission shall be satisfied that two-thirds (2/3) of the taxable inhabitants of such town or Village have signed such petition, and that the prayer of such petition is reasonable, the County Commission may declare such town or Village incorporated, designating in such order the metes and bounds thereof, and thenceforth the inhabitants within such bounds shall be a body politic and corporate, by the name and style of "The Village of ....." naming it and by that name they and their successors shall be known in law; have perpetual succession, unless disincorporated; sue and be sued; plead and be impleaded; defend and be defended in all courts and in all actions, pleas and matters whatsoever; may grant, purchase, hold and receive property, real and personal, within such Village and no other, burial grounds and cemeteries excepted; and may lease, sell and dispose of the same for the benefit of the Village, and may have a common seal, and alter the same at pleasure.

**SECTION 100.020: VILLAGE SEAL**

- A. The Seal of the Town of Grantwood Village, shall be a metallic disc not more than one and one-half (1½) inches in diameter, with the words, "The Town of Grantwood Village, St. Louis County, Missouri" engraved in the border and the word "Seal" engraved across the center, and the same is hereby declared to be adopted as the Seal of the Town of Grantwood Village.
- B. The Village Clerk shall be the keeper of the common Seal of the Town of Grantwood Village, and any impression of said Seal to any contract or other writing shall have no validity or binding obligation upon the Village unless such impression be accompanied by the attestation and signature of the Village Clerk, and then only in cases authorized by law or the ordinances of this Village.

**ARTICLE II. GENERAL CODE PROVISIONS**

**SECTION 100.030: CONTENTS OF CODE**

This Code contains all ordinances of a general and permanent nature of the Town of Grantwood Village, Missouri, and includes ordinances dealing with municipal administration, municipal elections, building and property regulation, business and occupations, health and sanitation, public order, and similar objects.

**SECTION 100.040: CITATION OF CODE**

This Code may be known and cited as the "Grantwood Village Code."

**SECTION 100.050: OFFICIAL COPY OF CODE**

The Official Copy of this Code, bearing the signature of the Chairman and attestation of the Village Clerk as to its adoption shall be kept on file in the office of the Village Clerk. An extra copy of this Code shall be kept in the Village Clerk's office available for public inspection.

**SECTION 100.060: ALTERING OR AMENDING CODE**

- A. It shall be unlawful for any person to change or amend by additions or deletions any part or portion of this Code, or to insert or delete pages, or portions thereof, or to alter or tamper with such Official Copy of the Code in any manner whatsoever which will cause the law of the Village to be misrepresented thereby. Any person, firm or corporation violating this Section shall be punished as provided in Section 100.220 of this Code.
- B. This provision shall not apply to amendments, additions or deletions to this Code, duly passed by the Board of Trustees, which may be prepared by the Village Clerk for insertion in this Code.

**SECTION 100.070: NUMBERING OF CODE**

Each Section number of this Code shall consist of two (2) parts separated by a period; the figure before the period referring to the Chapter number, and the figure after the period referring to the position of the Section in the Chapter. Both figures shall consist of three (3) digits.

**SECTION 100.080: DEFINITIONS AND RULES OF CONSTRUCTION**

- A. In the construction of this Code and of all other ordinances of the Village, the following definitions shall be observed, unless it shall be otherwise expressly provided in any Section or ordinance, or unless inconsistent with the manifest intent of the Board of Trustees, or unless the context clearly requires otherwise:

*CHAIRMAN:* The Chairman of the Board of Trustees of the Town of Grantwood Village, Missouri.

*BOARD OF TRUSTEES:* The Board of Trustees of the Town of Grantwood Village, Missouri.

*COUNTY:* The words "*the County*" or "*this County*" or "*County*" shall mean the County of St. Louis, Missouri.

*DAY:* A day of twenty-four (24) hours, beginning at 12 o'clock Midnight.

*MAY:* Is permissive.

*MONTH:* A calendar month.

*OATH:* Shall be construed to include an affirmation in all cases in which an affirmation may be substituted for an oath, and in such cases the words "*swear*" and "*sworn*" shall be equivalent to the words "*affirm*" and "*affirmed*".

*OWNER:* The word "*owner*" as applied to a building or land, shall include any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety, of the whole or a part of such building or land.

*PERSON:* May extend and be applied to bodies politic and corporate, and to partnerships and other unincorporated associations.

*PERSONAL PROPERTY:* Includes money, goods, chattels, things in action and evidences of debt.

*PRECEDING, FOLLOWING:* Shall mean next before and next after, respectively.

*PROPERTY:* Includes real and personal property.

*PUBLIC WAY:* Shall include any street, alley, boulevard, parkway, highway, sidewalk or other public thoroughfare.

*REAL PROPERTY:* The terms "*real property*," "*premises*," "*real estate*" or "*lands*" shall be deemed to be co-extensive with lands, tenements and hereditaments.

*SHALL:* Is mandatory.

*SIDEWALK:* Shall mean that portion of the street between the curb line and the adjacent property line which is intended for the use of pedestrians.

*SIGNATURE:* Where the written signature of any person is required, the proper handwriting of such person or his/her mark shall be intended.

*STATE:* The words "*the State*" or "*this State*" or "*State*" shall mean the State of Missouri.

*STREET:* Shall mean and include any public way, highway, street, avenue, boulevard, parkway, alley or other public thoroughfare, and each of such words shall include all of them.

*TENANT, OCCUPANT:* The words "*tenant*" or "*occupant*," applied to a building or land, shall include any person who occupies the whole or a part of such building or land, whether alone or with others.

*VILLAGE:* Shall mean the Town of Grantwood Village, Missouri.

*WRITING:* "*Written*" and "*in writing*" and "*writing word for word*" includes printing, lithographing, or other mode of representing words and letters, but in all cases where the signature of any person is required, the proper handwriting of the person, or his/her mark, is intended.

*YEAR:* Shall mean a calendar year, unless otherwise expressed, and the word "*year*" shall be equivalent to the words "*year of our Lord*."

- B. *Newspaper.* Whenever in this Code or other ordinance of the Village it is required that notice be published in the "official newspaper" or a "newspaper of general circulation published in the Village," and if there is no newspaper published within the Village, the said notice shall be published

in a newspaper of general circulation within the Village, regardless of its place of publication. Such newspaper shall not include an advertising circular or other medium for which no subscription list is maintained.

#### **SECTION 100.090: CONSTRUCTION, GENERALLY**

Words and phrases shall be taken in their plain or ordinary and usual sense, but technical words and phrases having a peculiar and appropriate meaning in law shall be understood according to their technical import.

#### **SECTION 100.100: HEADINGS**

The headings of the Chapters and Sections of this Code are intended as guides and not as part of this Code for purposes of interpretation or construction.

#### **SECTION 100.110: CONTINUATION OF PRIOR ORDINANCES**

The provisions appearing in this Code, so far as they are in substance the same as those of ordinances existing at the time of the adoption of this Code, shall be considered as a continuation thereof and not as new enactments.

#### **SECTION 100.120: EFFECT OF REPEAL OF ORDINANCE**

No offense committed and no fine, penalty or forfeiture incurred, or prosecution commenced or pending previous to or at the time when any ordinance provision is repealed or amended, shall be affected by the repeal or amendment, but the trial and punishment of all such offenses, and the recovery of the fines, penalties or forfeitures shall be had, in all respects, as if the provision had not been repealed or amended, except:

1. That all such proceedings shall be conducted according to existing procedural laws; and
2. That if the penalty or punishment for any offense is reduced or lessened by any alteration of the law creating the offense prior to original sentencing, the penalty or punishment shall be assessed according to the amendatory law.

#### **SECTION 100.130: REPEALING ORDINANCE REPEALED, FORMER ORDINANCE NOT REVIVED, WHEN**

When an ordinance repealing a former ordinance, clause or provision is itself repealed, it does not revive the former ordinance, clause or provision, unless it is otherwise expressly provided; nor shall any ordinance repealing any former ordinance, clause or provision abate, annul or in any wise affect any proceedings had or commenced under or by virtue of the ordinance so repealed, but the same is as effectual and shall be proceeded on to final judgment and termination as if the repealing ordinance had not passed, unless it is otherwise expressly provided.

**SECTION 100.140: SEVERABILITY**

It is hereby declared to be the intention of the Board of Trustees that the Chapters, Sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph, Section, or Chapter of this Code shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any Court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, Sections, and Chapters of this Code since the same would have been enacted by the Board of Trustees without the incorporation in this Code of any such unconstitutional or invalid phrase, clause, sentence, paragraph or Section.

**SECTION 100.150: TENSE**

Except as otherwise specifically provided or indicated by the context, all words used in this Code indicating the present tense shall not be limited to the time of adoption of this Code but shall extend to and include the time of the happening of any act, event, or requirement for which provision is made herein, either as a power, immunity, requirement, or prohibition.

**SECTION 100.160: NOTICE**

Whenever notice may be required under the provisions of this Code or other Village ordinance, the same shall be served in the following manner:

1. By delivering the notice to the person to be served personally or by leaving the same at his/her residence, office or place of business with some person of his/her family over the age of fifteen (15) years; or
2. By mailing said notice by certified or registered mail to such person to be served at his/her last known address; or
3. If the person to be served is unknown, or may not be notified under the requirements of this Section, then by posting said notice in some conspicuous place on the premises at least five (5) days before the act or action concerning which the notice is given is to take place. No person shall interfere with, obstruct, mutilate, conceal, or tear down any official notice or placard posted by any Village Officer, unless permission is given by said Officer.

**SECTION 100.170: NOTICE—EXCEPTIONS**

The provisions of the preceding Section shall not apply to those Chapters of this Code wherein there is a separate definition of notice.

**SECTION 100.180: COMPUTATION OF TIME**

In computing any period of time prescribed or allowed by this Code or by a notice or order issued pursuant thereto, the day of the act, event or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or a legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor a legal holiday. When the period of time prescribed or

allowed is less than seven (7) days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation.

**SECTION 100.190: GENDER**

When any subject matter, party or person is described or referred to by words importing the masculine, females as well as males, and associations and bodies corporate as well as individuals, shall be deemed to be included.

**SECTION 100.200: JOINT AUTHORITY**

Words importing joint authority to three (3) or more persons shall be construed as authority to a majority of such persons unless otherwise declared in the law giving the authority.

**SECTION 100.210: NUMBER**

When any subject matter, party or person is described or referred to by words importing the singular number, the plural and separate matters and persons and bodies corporate shall be deemed to be included; and when words importing the plural number are used, the singular shall be included.

**ARTICLE III. PENALTY**

**SECTION 100.220: GENERAL PENALTY**

- A. Whenever in this Code or any other ordinance of the Village, or in any rule, regulation, notice or order promulgated by any officer or agency of the Village under authority duly vested in him/her or it, any act is prohibited or is declared to be unlawful or an offense or misdemeanor or the doing of any act is required or the failure to do any act is declared to be unlawful or an offense or a misdemeanor, and no specific penalty is provided for the violation thereof, upon conviction of a violation of any such provision of this Code or of any such ordinance, rule, regulation, notice or order, the violator shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment in the County Jail not exceeding ninety (90) days, or by both such fine and imprisonment; provided, that in any case wherein the penalty for an offense is fixed by a Statute of the State, the statutory penalty, and no other, shall be imposed for such offense, except that imprisonments may be in the County Jail.
- B. Every day any violation of this Code or any other ordinance or any such rule, regulation, notice or order shall continue shall constitute a separate offense.
- C. Whenever any act is prohibited by this Code, by an amendment thereof, or by any rule or regulation adopted thereunder, such prohibition shall extend to and include the causing, securing, aiding, or abetting of another person to do said act. Whenever any act is prohibited by this Code, an attempt to do the act is likewise prohibited.

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## **CHAPTER 105: ELECTIONS**

### **ARTICLE I. VILLAGE ELECTIONS**

#### **SECTION 105.010: CONFORMANCE OF VILLAGE ELECTIONS WITH STATE LAW**

All Village elections shall be conducted and held in conformance with the provisions of Chapter 115, RSMo.

#### **SECTION 105.020: DATE OF MUNICIPAL ELECTION**

- A. A municipal election for the qualified voters of this Village shall be held on the first (1st) Tuesday in April after the first Monday in April of each year. (Vil. Ord. No. 674.13, 11-26-13)
- B. On the first (1st) Tuesday in April after the first Monday in April of odd-numbered years, an election shall be held by the qualified voters in the Village for three (3) Trustees who shall hold their respective offices for the term of two (2) years, and until their successors are elected and qualified. (Vil. Ord. No. 674.13, 11-26-13)
- C. On the first (1st) Tuesday in April after the first Monday in April of even-numbered years, an election shall be held by the qualified voters for two (2) Trustees who shall hold their respective offices for the term of two (2) years, and until their successors are elected and qualified. (Vil. Ord. No. 566-03, 7-15-03), (Vil. Ord. No. 674.13, 11-26-13)

#### **SECTION 105.030: DECLARATION OF CANDIDACY—DATES FOR FILING**

Any person who desires to become a candidate for an elective Village office at the general Village election shall file with the Village Clerk, not prior to the hour of 8:00 A.M., on the sixteenth (16th) Tuesday prior to, nor later than 5:00 P.M., on the eleventh (11th) Tuesday prior to the next Village municipal election, a written declaration of his/her intent to become a candidate at said election. The Village Clerk shall keep a permanent record of the names of the candidates, the offices for which they seek election, and the date of their filing, and their names shall appear on the ballots in that order. (Vil. Ord. No. 674.13, 11-26-13)

#### **SECTION 105.040: DECLARATION OF CANDIDACY—NOTICE TO PUBLIC**

The Village Clerk shall, before the sixteenth (16th) Tuesday prior to any election at which Village offices are to be filled by said election, notify the general public of the opening filing date, the office or offices to be filled, the proper place for filing and the closing filing date of the election. Such notification may be accomplished by legal notice published in at least one newspaper of general circulation in the Village. (Vil. Ord. No. 674.13, 11-26-13)

#### **SECTION 105.050: DECLARATION OF CANDIDACY FORM**

The form of said written declaration of candidacy shall be completed on the official form furnished to the Village by the St. Louis County Board of Election Commissioners. (Vil. Ord. No. 619.08,5-20-08)



**SECTION 105.060: NOTICE OF ELECTIONS**

In Village elections, conducted by the St. Louis County Board of Election Commissioners, the Village Clerk shall notify the St. Louis County Board of Election Commissioners prior to 5:00 P.M. on the tenth (10th) Tuesday prior to any Village election or within seven (7) working days after the candidates' names are certified, whichever is later, of the forthcoming Village election. The notice shall be in writing, using the forms required by the St. Louis County Board of election Commissioners, shall specify that the Board of Trustees is calling the election, the purpose of the election, the date of the election, and shall include a certified copy of the legal notice to be published including the sample ballot. The written notice shall be executed on behalf of the Board of Trustees by the Village Clerk. (Vil. Ord. No. 619.08,5-20-08)

**SECTION 105.070: OATH OF OFFICE**

I do solemnly swear that I possess all the qualifications prescribed by law for the office of Trustee of the Town of Grantwood Village, that I will support the Constitution of the United States and of the State of Missouri, the provisions of all laws of this State affecting Towns and Villages and the ordinances of the Town of Grantwood Village, Missouri, and faithfully demean myself while in office.

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## **CHAPTER 110: CHAIRMAN AND BOARD OF TRUSTEES**

### **SECTION 110.010: TRUSTEES—QUALIFICATIONS**

No person shall be a Trustee who has not attained the age of twenty-one (21) years; who is not a citizen of the United States; who is not an inhabitant of the Village at the time of his/her election, and has not resided therein for one (1) whole year next preceding the time of his/her election, who is a convicted felon, and is in arrears for any unpaid municipal taxes or user fees on the last day to file a declaration of candidacy for the office. (Ord. No. 514-99, 8-10-99)

### **SECTION 110.020: TRUSTEES—OATH—ORGANIZATION—MEETINGS**

Every Trustee, before entering upon the duties of his/her office, shall take the oath prescribed by the Constitution of this State, and that he/she will faithfully demean himself/herself in office. Every Board of Trustees shall assemble within thirty (30) days after their appointment, election, or certification, and choose a Chairman of their number, who shall serve at the pleasure of the Board of Trustees. The Chairman may vote on any proposition before the Board. The Board of Trustees, by ordinance, shall fix the time and place of holding their stated meetings, and may be convened by the Chairman at any time.

### **SECTION 110.030: BOARD OF TRUSTEE MEETINGS, WHEN HELD**

- A. Meetings of the Board of Trustees of the Town of Grantwood Village shall be held at the Village Hall located at #1 Missionary Ridge, Grantwood Village. Regular meetings of the Board of Trustees shall be held on the third (3rd) Tuesday of each month at 7:00 P.M., provided however, that a regular meeting may be rescheduled by the Chairman in a given instance if holidays, weather or a conflict with other events of concern to the Village necessitate. A Trustee can appear and participate in a meeting by telephone, skype or other electronic communication device. However, the Trustee participating in such manner may not take part in any roll call votes. (Vil. Ord. No. 558-02, 9-17-02) (Vil. Ord. No. 655-11, 8-16-11) (Vil. Ord. No. 696-15; 9-15-15)
- B. Special meetings of the Board of Trustees of the Town of Grantwood Village may be called by any two (2) members of the Board by requesting such special meeting with the Village Clerk, who shall thereupon prepare a notice of such special meeting. Special meetings may also be called by the Chairman of the Board in the same manner. The notice of such special meeting shall state the date and hour of the meeting and the purpose for which the meeting is called, and no business shall be transacted thereat, except such as is stated in the notice. Said notice of the time and object of the special meeting shall be given to each member of the Board by the Village Clerk causing such notice to be delivered at the usual place of abode of said members twenty four (24) hours before the stated special meeting. Such notice shall also be posted within the Village Hall in a manner visible to the general public and shall be made available to any representative of the news media who requests notice of meetings of the Board of Trustees twenty four (24) hours before said special meeting. By unanimous consent, a special meeting may be held at any time provided, however, that when twenty-four (24) hour notice cannot be given or when the time or place is not convenient or accessible to the public, the nature of the good cause justifying that departure from the normal requirements shall be stated in the minutes.

### **SECTION 110.040: TRUSTEES—QUORUM**

At all meetings of the Board, a majority of the Trustees shall constitute a quorum to do business; a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as the Board of Trustees previously, by ordinance, may have prescribed.

**SECTION 110.050: MEMBERS MUST ATTEND MEETINGS**

Members of the Board of Trustees shall be required to attend all stated and special meetings of the Board, unless leave of absence is granted by the Board, or unless excused by the Chairman for illness or other special reason.

**SECTION 110.060: CALL TO ORDER**

At the hour appointed, the Chairman, or in his/her absence any Trustee, shall call the Board to order, the Clerk shall call the roll of members and announce whether or not a quorum is present. A majority of the Trustees shall constitute a quorum. If a quorum be not present, a smaller number may lawfully adjourn the meeting until a quorum is present.

**SECTION 110.070: ORDER OF BUSINESS**

The Board of Trustees, after the pledge of allegiance, and upon the announcement of a quorum, shall proceed to transact the business before them in the following order:

1. Reading of the minutes of the last meeting, or meetings, unless temporarily waived, and approval of the same as read unless changed or objection by a member, in which event they shall be approved as corrected.
2. Recognition of residents and guests in attendance.
3. The reports of the trustees.
4. Unfinished business.
5. New business.
6. Motion to adjourn.

**SECTION 110.080: COMMITTEES**

All committees shall be appointed by the Chairman unless, on motion, the Board shall elect to appoint any such committee.

**SECTION 110.090: PROCEDURE**

Robert's Rules of Order shall govern the proceedings of the Board, except when otherwise provided by ordinance and any question arising thereunder shall be decided by the Chairman subject to appeal to the Board of Trustees by any member.

**SECTION 110.100: BOARD OF TRUSTEES TO KEEP A JOURNAL**

The Board of Trustees shall keep a journal of their proceedings and, at the desire of any member, shall cause the "yeas" and "nays" to be taken and entered on the journal on any question, resolution or ordinance. Their proceedings shall be public.

**SECTION 110.110: ORDINANCES—HOW PASSED**

The style of ordinances of the Town of Grantwood Village shall be: "Be it ordained by the Board of Trustees of the Town of Grantwood Village, as follows:". No ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its passage a majority of all the members of the Board of Trustees vote therefor, and the "yeas" and "nays" be entered upon the journal; every proposed ordinance shall be introduced to the Board of Trustees in writing and shall be read by title or in full two (2) times prior to passage, both readings may occur at a single meeting of the Board of Trustees. If the proposed ordinance is read by title only, copies of the proposed ordinances shall be made available for public inspection prior to the time the bill is under consideration by the Board of Trustees. All ordinances shall be in full force and effect from and after their passage after being duly signed by the Chairman of the Board of Trustees and attested by the Village Clerk.

**SECTION 110.120: ABSENCE OF CHAIRMAN**

In case of absence of the Chairman at any meeting of the Board, the Board may appoint a Chairman Pro Tempore, and in case he/she shall die, resign, be removed from office or remove from the Village, the Board of Trustees shall appoint one (1) of their number Chairman, who shall hold the office for the unexpired term.

**SECTION 110.130: TRUSTEES—VACANCY, HOW FILLED**

All vacancies in the Board of Trustees shall be filled by the remaining members of the Board. In case the office of Chairman becomes vacant, the remaining members shall select one (1) of their own number as temporary Chairman and then proceed to elect some person to fill such vacancy; provided, the Chairman or temporary Chairman shall have no vote except in case of a tie.

**SECTION 110.140: TRUSTEES—POWER OF APPOINTMENT**

Such Board of Trustees shall have power to appoint a Village Clerk, Treasurer, Building & Street Commissioner, Community Relations Director, and such other officers, servants and agents as may be necessary, remove them from office, prescribe their duties and fix their compensation. (Vil. Ord. No. 651-11, 1-18-11)

**SECTION 110.150: COMPENSATION AND SALARIES**

- A. The Trustees shall receive such compensation as is determined by ordinance from time to time.
- B. The Board of Trustees shall have the power to fix the compensation of all employees of the Village by ordinance.

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## CHAPTER 115.: ADMINISTRATION

### ARTICLE I. VILLAGE OFFICES

#### SECTION 115.010: OFFICES CREATED

There are created the following appointed offices for the administration of the Village:

1. Chairman - 115.060
2. Village Clerk - 115.070
3. Treasurer - 115.080
4. Building Commissioner - 115.090
5. Public Works Commissioner - 115.100
6. Attorney - 115.110
7. Municipal Judge - 125.050
8. Prosecuting Attorney - 125.160
9. Court Clerk - 125.270
10. Budget Officer - 130.030
11. Emergency Preparedness Director - 240.040

And such other agents as may be required from time to time. (Vil. Ord. No. 647.10, 7-20-10)  
(Vil. Ord. No. 656.11, 8-16-11)

#### SECTION 115.020: TERM—COMPENSATION

Appointed officials shall serve in their respective offices at the will of the Board of Trustees unless otherwise provided by ordinance. Compensation shall be as provided by ordinance.

#### SECTION 115.030: VILLAGE DEPARTMENTS—DUTIES OF APPOINTED OFFICERS

- A. For organizational and management purposes, the various operations of the Village shall be divided into four (4) departments as follows: (Vil. Ord. No. 622.08,5-20-08)
  1. *Administrative Department.* The Administrative Department shall consist of the clerical, support and administrative functions in the Village Hall General Administrative offices, including the positions of Village Clerk, Court Clerk, and such additional personnel as may be assigned to the said offices from time to time. The Village Clerk shall be head of the Administrative Department and shall supervise and be responsible for day to day management of the affairs of the department and assignment of duties and responsibilities among the work force.
  2. *Building and Street Department.* The Building and Street Department shall consist of street maintenance, public property maintenance, public works, and public improvement functions of the village; also zoning administration and enforcement of building and construction permits, health code enforcement and building, electrical, and housing code enforcement functions of the Village. The Building and Street Commissioner shall be the head of the Street and Building Department.

3. *Finance Department.* The Finance Department shall be responsible for the preparation and implementation of the Village budget, the investment and safeguarding of Village funds, payment of financial obligations of the Village, preparation for and cooperation in audits of Village financial affairs, and the preparation of such periodic reports as may be required. The Financial Department shall consist of the Village Treasurer and Budget Officer. The Village Treasurer shall be the head of the Finance Department.
  4. *Police Department.* The Police Department shall consist of the law enforcement and emergency preparedness functions of the Village, including regular, part-time, and reserve Law Enforcement Officers, police clerical personnel of the Police Department and the Emergency Preparedness Director. (Vil. Ord. No. 647.10, 7-20-10)
- B. The duties of such officers in addition to those prescribed by law, shall be those customarily performed by such others in like municipalities in Missouri and such as are from time to time fixed and prescribed by this Board.

#### **SECTION 115.040: EXPENSE REIMBURSEMENT AND ADVANCES**

For purposes of this Section, the term "*expenses*" shall refer only to expenses actually and necessarily incurred in the performance of the official business of the Village. The term "*employee*" shall include all persons employed by the Village and all elected and appointed officials.

1. Any employee incurring any expense as defined in this Section and seeking reimbursement of same may submit to the Treasurer a voucher certified as being true and correct. The Treasurer shall review such expense vouchers and shall authorize reimbursement to the employee of only those expenses properly incurred.
2. The Treasurer may authorize the advance payment of projected expenses when the projected expenses to be incurred would pose a financial burden on the employee. If such an advance is authorized, within ten (10) days after such expenses are actually incurred the employee shall submit to the Treasurer a voucher for the expenses actually and necessarily incurred and any balance of the advance remaining after expenditure.

#### **SECTION 115.050: BOND AND OATH**

- A. The Village shall obtain a bond with good and sufficient surety in any sum not less than ten thousand dollars (\$10,000.00) to ensure faithful performance according to law by the Village Clerk, Treasurer and the Chairman.
- B. *Oath Of Office.* Every officer of the Village and his/her assistants, and every Trustee before entering upon the duties of his/her office shall take and subscribe to an oath or affirmation before some person authorized to administer oaths, that he/she possesses all qualifications prescribed for his/her office by law; that he/she will support the Constitution of the United States and of this State, the provisions of all laws of this State affecting the Village and the Code of Ordinances and other ordinances of the Village; and faithfully demean himself/herself while in office, which oath or affirmation shall be filed with the Village Clerk. If any person elected or appointed to any office shall fail to take and subscribe such oath or affirmation, or to give bond as herein required, his/her office shall be deemed vacant. For any breach of condition of any such bond, suit may be instituted thereon by the Village, or by any person in the name of the Village to the use of such person.



**SECTION 115.060: CHAIRMAN**

- A. *Selection.* The Board of Trustees shall select a member of the Board to serve as Chairman, as provided in Section 110.020.
- B. *Duties.* The Chairman shall have the following duties:
1. To preside over all Board of Trustee meetings and all day to day operations of Village business.
  2. To post meeting notice and agenda 24 hours in advance of scheduled meetings, as provided in Section 110.030 (B).
  3. To attend to such correspondence as required; oversee official forms of public information and communications; plan, edit, write, design and coordinate production and distribution of the Village newsletter; and maintain updates to the Village's web page.
  4. To sign each ordinance passed.
  5. Countersign checks and drafts upon the Village Treasury, as appropriate.
  6. Appoint five (5) qualified residents of the Village to the Zoning Commission for a five (5) year period of service.
  7. Appoint five (5) qualified residents of the Village to the Board of Adjustment for a five (5) year period of service. (Vil. Ord. No. 656.11, 8-16-11)
- C. *Subject To Direction Of Board.* The Chairman shall perform such other duties as may be required by law or ordinance.

**SECTION 115.070: VILLAGE CLERK**

- A. *Selection.* The Chairman of the Board of Trustees shall select a member of the Board to serve as Village Clerk, who shall serve at the pleasure of the Board of Trustees.
- B. *Duties.* The Village Clerk shall have the following duties:
1. To have charge and custody of the seal, ordinances and other records, papers and documents entrusted to his/her care and keeping by the Board of Trustees;
  2. To attend to such correspondence as may be required;
  3. To keep the journal of the proceedings of the Board of Trustees and to enter therein the "yeas" and "nays" of the members of each bill presented for passage as an ordinance;
  4. To attest each ordinance passed by subscribing his/her name on the face thereof;
  5. To countersign checks and drafts upon the Village Treasury, as appropriate;
  6. To act as head of the Administrative Department of the Village;
  7. To research and identify grant opportunities for the Village, including preparing grant applications as needed;

8. To prepare all ballot certifications; and
  9. To provide, prepare, process and issue licenses for all purposes for which licenses are required to be issued. (Vil. Ord. No. 656.11, 8-16-11)
- C. *Duties—Assessment Of Property.* The Village Clerk shall have charge of procuring a lawful and proper assessment of property within the Village for purposes of providing revenue for Village purposes in the manner herein provided. It shall be the Clerk's duty, within twenty (20) days after the date of the final adjournment of the Board of Equalization, to see that there is procured from the Clerk of the County Commission of St. Louis County, and that the same be immediately transmitted to the Board of Trustees, a certified abstract from the county assessment books, as corrected by the County Board of Equalization of all property within the Village made taxable by law, which abstract shall by the Board of Trustees be accepted, taken and considered as the lawful and proper assessment on which to levy and collect the taxes of the Village. Upon receipt of such abstract, the Board of Trustees shall by ordinance establish the rate of tax for the year within constitutional limits.
- D. *Subject To Direction Of Board.* The Village Clerk shall perform such other duties as may be required by law or ordinance as directed by the Chairman and Board of Trustees. (Vil. Ord. No. 566-03, 7-15-03)

*Cross Reference—As to village records, see Section 120.030.*

#### **SECTION 115.080: TREASURER**

- A. *Selection.* The Chairman of the Board of Trustees shall select a member of the Board to serve as Village Treasurer, who shall serve at the pleasure of the Board of Trustees.
- B. *Duties.* It shall be the duty of the Village Treasurer to collect, receive and safely keep all monies, warrants, bonds and other property belonging to the Village and entrusted to his/her care, and to deliver the same to any successor in office; to act as head of the Village Finance Department; to pay over all monies, bonds and property of the Village only on warrant ordered by the Board of Trustees, signed by the Chairman, issued and attested by the Village Clerk and having the Seal of the Village affixed thereto; to keep in proper books a full, accurate and complete account of all monies or the other property received and disbursed by the Treasurer in his/her official capacity, showing the date of each transaction, the persons from whom received or to whom paid and on what account so received and disbursed; to issue receipts to every person making payment of money to the Village; to make written report to the Board of Trustees at each monthly meeting or whenever required, showing the amount on hand and the items of receipts and disbursements since the previous report; and to give bond to the Town of Grantwood Village in the amount agreed upon and in the manner approved by the Board, the cost of which if any, to be paid by the Village.
- C. *Subject To Direction Of Board.* The Treasurer shall perform such other duties as may be required by law or ordinance as directed by the Chairman and Board of Trustees. (Vil. Ord. No. 566-03, 7-15-03)

#### **SECTION 115.090: BUILDING COMMISSIONER**

- A. *Selection.* The Chairman of the Board shall select a member of the Board to serve as Building Commissioner, who shall serve at the pleasure of the Board of Trustees.
- B. *Duties.* It shall be the duty of the Building Commissioner to issue applications for building permits; review all plans and blueprints of proposed construction, or building within the Village before issuing a building permit; and after issuing any building permits to inspect such construction or buildings at

certain stages of completion to insure the construction or the building conforms to the zoning and building regulations of the Village; and oversee the maintenance of the Village Hall, including all exterior and interior areas and the property at # 1 Missionary Ridge.

- C. *Powers.* The Building Commissioner shall have power in emergencies to employ help in the performance of any of his/her duties until the next regular meeting of the Board of Trustees, and shall certify to the Board the wages agreed to be paid such employees for such approval and payment. The Commissioner shall report and recommend the employment, or dismissal, of employees, and suggest the wages and salaries to be paid, as may be authorized by the Board of Trustees.
- D. *Subject To Direction Of Board.* The Building Commissioner shall perform such other duties as may be required by law or ordinance as directed by the Chairman and Board of Trustees. (Vil. Ord. No. 656.11, 8-16-11)

### **SECTION 115.100: PUBLIC WORKS COMMISSIONER**

- A. *Selection.* The Chairman of the Board shall select a member of the Board to serve as Public Works Commissioner, who shall serve at the pleasure of the Board of Trustees.
- B. *Duties.* It shall be the duty of the Public Works Commissioner to direct, supervise, and be in charge of work and equipment, subject to the Board of Trustees given in references to opening, maintaining, cleaning, and repairing of all streets, roads, alleys, sewers, drains, bridges, sidewalks, parkways, trees, lawns and public places in the Town of Grantwood Village. The Public Works Commissioner shall make all inspections and see that the streets, alleys, sewers, drains, bridges, sidewalks, parkways, trees, lawns and public places are maintained and kept in good condition and free from obstructions and defects which might impair their free and open use by the public or result in injury to persons or property. The Public Works Commissioner shall supervise the maintenance of the streets, including snow removal and salting when necessary; to make recommendations to the Board of Trustees and obtain their approval before authorizing major repairs or construction of new streets; to make inspections at certain stages of completion of all major repair work on street construction; to insure that the work meets Village specifications; to accept for presentation to the Board, bids for snow removal, striping, and painting of streets, or street construction; and to make recommendations to the Board as to the placing or removal of traffic control devices.
- C. *Powers.* The Public Works Commissioner shall have power in emergencies to employ help in the performance of any of his /her duties until the next regular meeting of the Board of Trustees, and shall certify to the Board the wages agreed to be paid such employees for such approval and payment. The Commissioner shall report and recommend the employment, or dismissal, of employees, and suggest the wages and salaries to be paid, as may be authorized by the Board of Trustees.
- D. *Subject To Direction Of Board.* The Public Works Commissioner shall perform such other duties as may be required by law or ordinance as directed by the Chairman and Board of Trustees. (Vil. Ord. No. 656.11, 8-16-11)

**SECTION 115.110: ATTORNEY**

- A. *Selection And Qualifications.* The Board of Trustees shall select some qualified individual to serve as Village Attorney who shall serve at the pleasure of the Board of Trustees. The Village Attorney shall receive such compensation as may be fixed by ordinance from time to time. The Village Attorney shall be a lawyer licensed to practice in the Courts of the State of Missouri.
- B. *Duties.* The Village Attorney shall attend the meetings of the Board of Trustees, advise the various Village officers, committees and boards upon legal questions pertaining to their respective duties for the Village, draw ordinances, deeds, releases, assessments, contracts, bonds and other documents relating to municipal affairs, represent the Village in all litigation in the Courts and before the Public Service Commission.
- C. *Report To Board Of Trustees.* Any member of the Board of Trustees may at any time call upon the Village Attorney for an oral or written opinion to decide any question of law, but not to decide upon any parliamentary rules or to resolve any dispute over the propriety of proposed legislative action. The Village Attorney shall report to the Board of Trustees the condition of any matters pending or unsettled in any court, or any other proceeding pending of which he/she may have charge under orders of the Chairman or Board of Trustees.
- D. *Temporary Absence—Acting Village Attorney.* In case of absence, sickness or other inability of the Village Attorney to attend court, or when, before assuming his/her official duties, he/she shall have been counsel adverse to the Village, he/she shall inform the Chairman thereof, in writing, and the Chairman or the Village Attorney shall appoint some other attorney to represent the Village in such cases, or during temporary absence, sickness or inability. Should the Village Attorney fail, neglect, or refuse to give such notice, as above provided, and the interests of the Village in case of such failure, neglect or refusal, need the immediate services of an attorney, then the Chairman may appoint some other attorney to attend to such cases, who shall receive the compensation allowed to the Village Attorney for like services.

**ARTICLE II. BOARDS/COMMISSIONS****SECTION 115.120: BOARD OF ADJUSTMENT**

- A. *Membership, Term of Office.* A Board of Adjustment consisting of five (5) members, who shall be residents of the Village, shall be appointed by the Chairman of the Board of Trustees and approved by the Board of Trustees.  
Members shall be appointed for terms of five (5) years each.
- B. *Removals - Vacancies.* Any member of the Board may be removed for cause by the Board of Trustees upon written charges and after public hearing. Vacancies shall be filled for the un-expired term of the vacancy by appointment by the Chairman of the Board of Trustees and approved by the Board of Trustees.
- C. *Chairman.*
1. The Board shall elect its own Chairman who shall serve for a term of one (1) year, or until his/her successor is elected. The Chairman may be re-elected.
  2. The Board may elect an Acting Chairman to serve during the Chairman's absence or if the Chairman is unable to serve.

- D. *Compensation of Board Members.* Members of the Board shall receive such compensation as determined by ordinance from time to time.(Vil. Ord. No. 554, 7-16-02)

**SECTION 115.130: ZONING COMMISSION**

- A. *Commission Established.* There is hereby established a commission to be known as the Zoning Commission of the Town of Grantwood Village.
- B. *Membership, Term of Office.* The membership of the Zoning Commission shall consist of the Chairman of the Board of Trustees, the Building and Street Commissioner and five (5) members, who shall be residents of the Village and shall be appointed by the Chairman of the Board of Trustees and approved by the Board of Trustees. The Chairman and the Commissioner shall be permanent members of the Commission and have voice without vote. The five appointed members shall be appointed for terms of five (5) years.
- C. *Removal - Vacancies.* Any member of the commission may be removed for cause by the Board of Trustees upon written charges and after public hearing. Vacancies shall be filled for the un-expired term of the vacancy by appointment by the Chairman of the Board of Trustees and approved by the Board of Trustees.
- D. *Chairman.*
  - 1. The Commission shall elect its own Chairman who shall serve for a term of one (1) year, or until his/her successor is elected. The Chairman may be re-elected.
  - 2. The Commission may elect an Acting Chairman to serve during the Chairman’s absence or if the Chairman is unable to serve.
- E. *Compensation of Commission Members.* The five appointed members of the Commission shall receive such compensation as determined by ordinance from time to time. (Vil. Ord. No. 554, 7-16-02)

## **CHAPTER 120: OPEN MEETINGS AND RECORDS**

### **ARTICLE I. OPEN MEETINGS AND RECORDS**

#### **SECTION 120.010: CLOSED MEETINGS AND CLOSED RECORDS AUTHORIZED WHEN, EXCEPTIONS**

Except to the extent disclosure is otherwise required by law, the Village or any other public governmental body of the Village is authorized to close meetings, records and votes, to the extent they relate to the following:

1. Legal actions, causes of action or litigation involving the Village or any other public governmental body of the Village and any confidential or privileged communications between the Village or any other public governmental body of the Village or its representatives and its attorneys. However, any minutes or vote relating to litigation involving the Village or any other public governmental body of the Village shall be made public upon final disposition of the matter voted upon; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;
2. Leasing, purchase or sale of real estate by the Village or any other public governmental body of the Village where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes or vote or public record approving a contract relating to the leasing, purchase or sale of real estate by the Village or any other public governmental body of the Village shall be made public upon execution of the lease, purchase or sale of the real estate;
3. Hiring, firing, disciplining or promoting of particular employees by the Village or any other public governmental body of the Village when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by the Village or any other public governmental body of the Village, to hire, fire, promote or discipline an employee of the Village or any other public governmental body of the Village must be made available to the public within seventy-two (72) hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour (72) period before such decision is made available to the public. As used in this Subdivision, the term "*personal information*" means information relating to the performance or merit of individual employees;
4. The State militia or National Guard or any part thereof;
5. Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;
6. Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen (18) years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen (18) years;

7. Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;
8. Welfare cases of identifiable individuals;
9. Preparation, including any discussions or work product, on behalf of the Village or any other public governmental body of the Village or its representatives for negotiations with employee groups;
10. Software codes for electronic data processing and documentation thereof;
11. Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;
12. Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;
13. Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such;
14. Records which are protected from disclosure by law;
15. Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest.

**SECTION 120.020: CLOSED MEETINGS, PROCEDURE AND LIMITATION—PUBLIC RECORDS PRESUMED OPEN UNLESS—EXEMPT**

- A. Except as set forth in Subsection (B) of this Section, no meeting or vote may be closed without an affirmative public vote of the majority of a quorum of the public governmental body. The vote of each member of the public governmental body on the question of closing a public meeting or vote and the specific reason for closing that public meeting or vote by reference to a specific Section of this Article shall be announced publicly at an open meeting of the governmental body and entered into the minutes.
- B. The Village or any other public governmental body of the Village proposing to hold a closed meeting or vote shall give notice of the time, date and place of such closed meeting or vote and the reason for holding it by reference to the specific exception allowed under the provisions of Section 120.010. Such notice shall comply with the procedures set forth in Section 610.020, RSMo., for notice of a public meeting.
- C. Any meeting or vote closed pursuant to Section 120.010 shall be closed only to the extent necessary for the specific reason announced to justify the closed meeting or vote. The Village or any other public governmental body of the Village shall not discuss any business in a closed meeting, record or vote which does not directly relate to the specific reason announced to justify the closed meeting or vote.

- D. Nothing in Sections of this Chapter shall be construed as to require the Village or any other public governmental body of the Village to hold a closed meeting, record or vote to discuss or act upon any matter.
- E. Public records shall be presumed to be open unless otherwise exempt under the provisions of Section 120.010.

## **ARTICLE II. RECORDS**

### **SECTION 120.030: VILLAGE CLERK TO KEEP RECORDS**

- A. The records of the Village shall be kept in the custody of the Village Clerk.
  - 1. As used in this Article, the word "*record*" or "*records*" shall mean any document, book, paper, photograph, map, sound recording or other material, regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official business. Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications and of processed documents are not included within the definition of records as used in this Article, and are hereinafter designated as "*non-record*" materials.
  - 2. The Village Clerk may designate a subordinate or another Village Official authority to have temporary custody of Village records, after satisfying himself/herself as to the safety of said records.
- B. The Village shall make available for inspection and copying by the public of the Village's public records. No person shall remove original public records from the office of the Village or its Custodian without written permission of the designated custodian.
- C. Each request for access to a public record shall be acted upon as soon as possible, but in no event later than the end of the third (3rd) business day following the date the request is received by the Custodian of records of the Village. If access to the public record is not granted immediately, the custodian shall give a detailed explanation of the cause for further delay and the place and earliest time and date that the record will be available for inspection. This period for document production may exceed three (3) days for reasonable cause.
- D. If a request for access is denied, the Custodian shall provide, upon request, a written statement of the grounds for such denial. Such statement shall cite the specific provision of law under which access is denied and shall be furnished to the requester no later than the end of the third (3rd) business day following the date that the request for the statement is received.

### **SECTION 120.040: DESTRUCTION OF RECORDS AND NON-RECORD MATERIALS**

All records made or received by or under the authority of or coming into the custody, control or possession of local officials in the course of their public duties are the property of the Village and shall not be mutilated, destroyed, transferred, removed or otherwise damaged or disposed of, in whole or in part, except as provided by law.



1. No record shall be destroyed or otherwise disposed of unless it is determined that the record has no further administrative, legal, fiscal, research or historical value.
2. Non-record materials or materials not included within the definition of records may, if not otherwise prohibited by law, be destroyed at any time, with the approval of the Missouri Local Records Board.
3. Records of the Village may be disposed of or destroyed without the approval of the Missouri Local Records Board, if the same is permitted by the State Municipal Records Manual. Records may be retained for a period of time longer than the minimum retention period required by the State Municipal Records Manual, at the discretion of the Board of Trustees.

## **CHAPTER 125: MUNICIPAL COURT**

### **ARTICLE I. GENERAL PROVISIONS**

#### **SECTION 125.010: COURT ESTABLISHED**

There is hereby established in the Town of Grantwood Village a Municipal Court, to be known as the "*Town of Grantwood Village Municipal Court*", a Division of the St. Louis County Circuit Court of the State of Missouri". In the event a Police Court existed prior to the establishment of a Municipal Court, this Court is a continuation of the Police Court of the Village as previously established, and is termed herein "*The Municipal Court*".

#### **SECTION 125.020: JURISDICTION**

The jurisdiction of the Municipal Court shall extend to all cases involving alleged violations of the ordinances of the Village.

#### **SECTION 125.030: SELECTION OF MUNICIPAL JUDGE**

The Judge of the Village's Municipal Court shall be known as a Municipal Judge of the St. Louis County Circuit Court, and shall be appointed by the Chairman with the consent of a majority of the members of the Board of Trustees.

#### **SECTION 125.040: MUNICIPAL JUDGE—TERM OF OFFICE**

The Municipal Judge shall hold his/her office at the pleasure of the Board of Trustees.

#### **SECTION 125.050: MUNICIPAL JUDGE—QUALIFICATION FOR OFFICE**

The Municipal Judge shall possess the following qualifications before he/she shall take office:

1. He/she must be a licensed attorney, qualified to practice law within the State of Missouri.
2. He/she need not reside within the Village.
3. He/she must be a resident of the State of Missouri.
4. He/she must be between the ages of twenty-one (21) and seventy-five (75) years.
5. He/she may serve as a Municipal Judge for any other Municipality.
6. He/she may not hold any other office within the Village Government.

7. The Municipal Judge shall be considered holding a part-time position, and as such may accept other employment (within the requirements of the Code of Judicial Conduct, Missouri Supreme Court Rule 2).

**SECTION 125.060: MUNICIPAL JUDGE—VACATION OF OFFICE**

The Municipal Judge shall vacate his/her office under the following conditions:

1. Upon removal from office by the State Commission on the Retirement, Removal and Discipline of Judges, as provided in Missouri Supreme Court Rule 12; or
2. Upon attaining his/her seventy-fifth (75th) birthday; or
3. If he/she should lose his/her license to practice law within the State of Missouri.

**SECTION 125.070: SUPERINTENDING AUTHORITY**

The Municipal Court of the Village shall be subject to the rules of the Circuit Court of which it is a part, and to the rules of the State Supreme Court. The Municipal Court shall be subject to the general administrative authority of the Presiding Judge of the Circuit Court, and the Judge and Court personnel of said Court shall obey his/her directives.

**SECTION 125.080: REPORT TO BOARD OF TRUSTEES**

The Municipal Judge shall cause the Court Clerk to prepare within the first ten (10) days of every month, a report indicating the following:

A list of all cases heard or tried before the Judge during the preceding month, giving in each case the name of the defendant, the fine imposed if any, the amount of costs, the names of defendants committed and the cases in which there was an application for trial de novo, respectively. The Court Clerk or the Judge shall verify such lists and statements by affidavit and shall file the same with the Village Clerk, who shall lay the same before the Board of Trustees of the Village for examination at its first session thereafter. The Municipal Court shall, within the ten (10) days after the first (1st) of the month, pay to the Municipal Treasurer the full amount of all fines collected during the preceding month, if not previously paid to the Municipal Treasurer.

**SECTION 125.090: DOCKET AND COURT RECORDS**

The Municipal Judge shall be a conservator of the peace. He/she shall keep a docket in which he/she shall enter every case commenced before him/her and the proceedings therein and he/she shall keep such other records as may be required. Such docket and records shall be records of the Circuit Court of St. Louis County. The Municipal Judge shall deliver said docket, records and all books and papers pertaining to his/her office, to his/her successor in office or to the Presiding Judge of the Circuit.

**SECTION 125.100: MUNICIPAL JUDGE—POWERS AND DUTIES GENERALLY**

The Municipal Judge shall be and is hereby authorized to:

1. Establish a Traffic Violations Bureau as provided for in the Missouri Rules of Practice and Procedure in Municipal and Traffic Courts and Section 479.050, RSMo.
2. Administer oaths and enforce due obedience to all orders, rules and judgments made by him/her, and may fine and imprison for contempt committed before him/her while holding Court, in the same manner and to the same extent as a Circuit Judge.
3. Stay execution of any fine or sentence, suspend any fine or sentence, and make such other orders as the Municipal Judge deems necessary relative to any matter that may be pending in the Municipal Court.
4. Make and adopt such rules of practice and procedure as are necessary to implement and carry out the provisions of this Chapter, and to make and adopt such rules of practice and procedure as are necessary to hear and decide matters pending before the Municipal Court and to implement and carry out the provisions of the Missouri Rules of Practice and Procedure in Municipal and Traffic Courts.
5. The Municipal Judge shall have such other powers, duties and privileges as are or may be prescribed by the laws of this State, this Code or other ordinances of this Village.

**SECTION 125.110: COMPENSATION**

The Municipal Judge for the Town of Grantwood Village shall be paid a sum as fixed by ordinance from time to time.

**SECTION 125.120: TRAFFIC VIOLATIONS BUREAU**

Should the Municipal Judge determine that there shall be a Traffic Violations Bureau, the Village shall provide all expenses incident to the operation of the same. The Village Clerk is hereby designated as the Traffic Violations Clerk for said Bureau, if established, and may appoint or designate such persons as are necessary to conduct said office.

**SECTION 125.130: ISSUANCE AND EXECUTION OF WARRANTS**

All warrants issued by a Municipal Judge shall be directed to any Police Officer of the Municipality or to the Sheriff of the County. The warrants shall be executed by the Police Officer or Sheriff at any place within the limits of the County and not elsewhere, unless the warrants are endorsed in the manner provided for warrants in criminal cases, and, when so endorsed shall be served in other Counties, as provided for in warrants in criminal cases. (Vil. Ord. No. 651-11, 1-18-11)

**SECTION 125.135: PROCEDURES AND REQUIREMENTS FOR THE ISSUANCE OF ADMINISTRATIVE WARRANTS****A. Warrant Defined—Who May Issue, Execute**

1. An administrative warrant is a written order of the municipal judge permitting the entry of Village officials on or in to private property to enforce the Village's housing, zoning, health, and safety regulations when government entry on or into such private property is otherwise authorized by Missouri law. A warrant may issue only in conformance with this Section and only for the enforcement of the Village's housing, zoning, health, and safety regulations, specifically: (i) to abate such physical conditions on private property constituting a public nuisance or otherwise in violation of a specified regulation as provided herein, (ii) to inspect private property to determine or prove the existence of physical conditions in violation of such a specified regulation, and (iii) to seize, photograph, copy, or record evidence of the violation of such a specified regulation. A warrant may issue only as a last resort, when all other reasonable avenues to gain access to the property have been exhausted.
2. The municipal judge having original and exclusive jurisdiction to determine violations against the ordinances of the municipality may issue an administrative warrant when (i) the property to be entered is located within the Village, and (ii) the owner or occupant of the property to be entered (a) has refused to allow same after official request by the Village, or (b) is not available, after reasonable investigation and effort, to consent to such entry or inspection, (iii) the Village establishes probable cause to determine that a public nuisance or other violation of a specified regulation as provided herein may exist, and (iv) the Village demonstrates that all other reasonable avenues to gain access to the property have been exhausted.
3. Any such warrant shall be directed to the chief of police or any other police officer of the Village and shall be executed by the chief of police or said police officer, in conjunction with the appropriate code enforcement officer or other appropriate official, within the Village limits and not elsewhere.

**B. Who May Apply For Warrant—Contents Of Application**

1. Any code enforcement officer, police officer, or attorney of the Village may make application to the municipal judge for the issuance of an administrative warrant.
2. The application shall:
  - a. Be in writing;
  - b. State the time and date of the making of the application;
  - c. Identify the property to be entered, inspected, or seized in sufficient detail and particularity that the officer executing the warrant can readily ascertain it;
  - d. State that the owner or occupant of the property (i) has been requested by the Village to allow such action and has refused to allow such action or (ii) is not available or has not made himself or herself available to discuss said violations, or has been unresponsive by and through his or her attorney regarding said violations, nor after reasonable investigation and effort, to consent to such entry or inspection, and in such case the application shall include details of the Village's investigation and effort to request such consent;

- e. State facts sufficient to show probable cause for the issuance of a warrant to enter the private property, including the specification of the housing, zoning, health, or safety regulation sought to be enforced;
  - f. State facts sufficient to demonstrate that the Village has exhausted all other reasonable avenues to gain access to the property;
  - g. Be verified by the oath or affirmation of the applicant; and
  - h. Be signed by the applicant and filed in the municipal court.
3. The application may be supplemented by a written affidavit verified by oath or affirmation. Such affidavit shall be considered in determining whether there is probable cause for the issuance of a warrant and in filling out any deficiencies in the description of the property or place to be entered. Oral testimony shall not be considered. The application may be submitted by facsimile or other electronic means.

C. Hearing and Procedure--Contents Of Warrant--Execution And Return

1. Hearing and Procedure:

- a. The municipal judge shall determine whether probable cause exists to enter the private property for the purposes noted herein and whether all other requirements of this Section have been met.
- b. In determining probable cause the municipal judge shall determine whether the action to be taken by the Village is reasonable in light of the facts stated. The municipal judge shall consider the goals of the ordinance or code section sought to be enforced and such other factors as may be appropriate, including but not limited to the physical condition of the specified property, the age and nature of the property, the condition of the area in which the property is located, the known or suspected violation of any relevant Village ordinance or code section, the passage of time since the property's last inspection, and the law, statute, or ordinance authorizing government entry onto private property. The standard for issuing a warrant need not be limited to actual knowledge of an existing violation of a Village ordinance or code section.
- c. If it appears from the application and any supporting affidavit that there is probable cause to enter the private property for the enforcement of the Village's housing, zoning, health, and safety regulations, and that all other requirements of this section have been met, a warrant shall immediately be issued.
- d. The warrant shall issue in the form of an original and two copies, and the application, any supporting affidavit and one copy of the warrant as issued shall be retained in the records of the municipal court.

2. Contents of Warrant.

The warrant shall:

- a. Be in writing and in the name of the Village;
- b. Be directed to any police officer in the Village;
- c. State the time and date the warrant was issued;

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- d. Identify the property to be entered in sufficient detail and particularity that the officer executing the warrant can readily ascertain it;
- e. Command that the described property be entered for one or more specified enforcement purposes as provided herein, identify the regulation sought to be enforced, and direct that any evidence of any suspected property violations be seized, recorded or photographed, and a description of such property be returned, within ten days after filing of the application, to the clerk of the municipal court, to be dealt with according to law;
- f. Be signed by the judge, with his title of office indicated.

3. Execution and Return.

- a. A warrant issued under this ordinance shall be executed only by a Village police officer, provided, however, that one or more designated Village officials shall accompany the officer, and the warrant shall be executed in the following manner:
  - 1. The warrant may be issued by facsimile or other electronic means.
  - 2. The warrant shall be executed by conducting the private property entry as commanded and shall be executed as soon as practicable and in a reasonable manner.
  - 3. The officer shall give the owner or occupant of the property entered a copy of the warrant.
  - 4. (i) If any property is seized incident to the entry, the officer shall give the person from whose possession it was taken, if the person is present, an itemized receipt for the property taken. If no such person is present, the officer shall leave the receipt at the site of the entry in a conspicuous place.
    - (ii) A copy of the itemized receipt of any property taken shall be delivered to an attorney for the Village within two (2) working days of the execution of the warrant.
    - (iii) The disposition of property seized pursuant to a warrant under this section shall be in accordance with an applicable Village ordinance or code section, but in the absence of same, then with Section 542.301 of the Revised Statutes of Missouri.
  - 5. The officer may summon as many persons as he deems necessary to assist him in executing the warrant.
  - 6. An officer executing an invalid warrant, the invalidity of which is not apparent on its face, may use such force as he would be justified in using if the warrant were valid.
  - 7. A warrant shall expire if it is not executed and the required return made within ten (10) days after the date of the making of the application.

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- b. 1. After execution of the warrant, the warrant, with a return thereon signed by the officer executing the warrant, shall be delivered to the municipal court.

2. The return shall show the date and manner of execution and the name of the possessor and of the owner, when not the same person, if known, of the property entered.
3. The return shall be accompanied by any photographs, copies, or recordings made, and by any property seized, along with a copy of the itemized receipt of such property required by this section; provided, however, that seized property may be disposed of as provided herein, and in such a case a description of the property seized shall accompany the return.
4. The court clerk, upon request, shall deliver a copy of the return to the possessor and the owner, when not the same person, of the property entered or seized.

D. Warrant Invalid, When

A warrant shall be deemed invalid:

1. If it was not issued by the municipal judge;
2. If it was issued without a written application having been filed and verified;
3. If it was issued without sufficient probable cause in light of the goals of the ordinance to be enforced and such other factors as provided in subsection (c)(1)(b) hereof;
4. If it was not issued with respect to property in the Village;
5. If it does not describe the property or places to be entered, inspected, or seized with sufficient certainty;
6. If it is not signed by the judge who issued it;
7. If it was not executed and the required return made within ten (10) days after the date of the making of the application; or
8. If it was not issued in compliance with this Section.

(Vil. Ord. No. 600-06, 10-17-06)

**SECTION 125.140: ARRESTS WITHOUT WARRANTS**

Any Police Officer of the Village may, without a warrant, make arrest of any person who commits an offense in his/her presence, but such Officer shall, before the trial, file a written complaint with the Judge hearing violations of municipal ordinances. (Vil. Ord. No. 651-11, 1-18-11)

§ 125.150

§ 125.190

**SECTION 125.150: JURY TRIALS**

Any person charged with a violation of a municipal ordinance of this Village shall be entitled to a trial by jury, as in prosecutions for misdemeanors before an Associate Circuit Court Judge. Whenever a defendant accused of a violation of a municipal ordinance has a right to a trial by jury and demands such trial, the Municipal Court shall certify the case to the Presiding Judge of the Circuit Court for reassignment.



**SECTION 125.160: DUTIES OF THE VILLAGE'S PROSECUTING ATTORNEY**

It shall be the duty of an attorney designated by the Municipality to prosecute the violations of the Village's ordinances before the Municipal Judge or before any Circuit Judge hearing violations of the Village's ordinances. The salary or fees of the attorney and his/her necessary expenses incurred in such prosecutions shall be paid by the Village. The compensation of such attorney shall not be contingent upon the result in any case.

**SECTION 125.170: SUMMONING OF WITNESSES**

It shall be the duty of the Municipal Judge to summon all persons whose testimony may be deemed essential as witnesses at the trial, and to enforce their attendance by attachment, if necessary. The fees of witnesses shall be the same as those fixed for witnesses in trials before Associate Circuit Court Judges and shall be taxed as other costs in the case. When a trial shall be continued by a Municipal Judge it shall not be necessary to summon any witnesses who may be present at the continuance, but the Municipal Judge shall orally notify such witnesses as either party may require to attend before him/her on the day set for trial to testify in the case, and enter the names of such witnesses on his/her docket, which oral notice shall be valid as a summons.

**SECTION 125.180: TRANSFER OF COMPLAINT TO ASSOCIATE CIRCUIT JUDGE**

If, in the progress of any trial before the Municipal Judge, it shall appear to the Judge that the accused ought to be put upon trial for an offense against the criminal laws of the State and not cognizable before him/her as Municipal Judge, he/she shall immediately stop all further proceedings before him/her as Municipal Judge and cause the complaint to be made before some Associate Circuit Court Judge within the County.

**SECTION 125.190: JAILING OF DEFENDANTS**

- A. If in the opinion of the Municipal Judge, the Village has no suitable and safe place of confinement, the Municipal Judge may commit the defendant to the St. Louis County Jail, and it shall be the duty of the Sheriff, if space for the prisoner is available in the County Jail, upon receipt of a warrant of commitment from the Judge to receive and safely keep such prisoner until discharged by due process of law. The Municipality shall pay the Board of such prisoner at the same rate as may now or hereafter be allowed by law to such Sheriff for the keeping of other prisoners in his/her custody. The same shall be taxed as cost.
- B. Pursuant to RSMo. Section 221.070, every person who shall be committed to the St. Louis County Jail, by lawful authority, for any violation of a Village ordinance, offense or misdemeanor, shall bear the expense of carrying him or her to said jail, and also for his or her support while in jail. The property of such person shall be subject to the payment of such costs. (Vil. Ord. No. 574-04, 3-16-04)

§ 125.200

§ 125.230

**SECTION 125.200: PAROLE AND PROBATION**

- A. Any Judge hearing violations of municipal ordinances may, when in his/her judgment it may seem advisable, grant a parole or probation to any person who shall plead guilty or who shall be convicted after a trial before such Judge. When a person is placed on probation he/she shall be given a certificate explicitly stating the conditions on which he/she is being released.

- B. In addition to such other authority as exists to order conditions of probation, the Court may order conditions which the court believes will serve to compensate the victim of the crime, any dependent of the victim, or society in general. Such conditions may include, but need not be limited to:
  - 1. Restitution to the victim or any dependent of the victim, in an amount to be determined by the judge; and
  - 2. The performance of a designated amount of free work for a public or charitable purpose, or purposes, as determined by the Judge.
- C. A person may refuse probation conditioned on the performance of free work. If he/she does so, the Court shall decide the extent or duration of sentence or other disposition to be imposed and render judgment accordingly. Any County, Village, person, organization, or agency, or employee of a County, Village, organization or agency charged with the supervision of such free work or who benefits from its performance shall be immune from any suit by the person placed on parole or probation or any person deriving a cause of action from him/her if such cause of action arises from such supervision of performance, except for intentional torts or gross negligence. The services performed by the probationer or parolee shall not be deemed employment within the meaning of the provisions of Chapter 288, RSMo.
- D. The Court may modify or enlarge the conditions of probation at any time prior to the expiration or termination of the probation term.

**SECTION 125.210: RIGHT OF APPEAL**

In any case tried before the Municipal Judge, except where there has been a plea of guilty or where the case has been tried with a jury, the defendant shall have a right of trial de novo, before a Circuit Court Judge or upon assignment before an Associate Circuit Court Judge. An application for a trial de novo shall be filed within ten (10) days after judgement and shall be filed in such form and perfected in such manner as provided by Supreme Court rule.

**SECTION 125.220: APPEAL FROM JURY VERDICTS**

In any case tried with a jury before an Associate Circuit Judge, a record of the proceedings shall be made, and appeals may be had upon that record to the appropriate Appellate Court.

**SECTION 125.230: BREACH OF RECOGNIZANCE**

In the case of a breach of any recognizance entered into before a Municipal Judge or an associate Circuit Court Judge hearing a municipal ordinance violation case, the same shall be deemed forfeited and the Judge shall cause the same to be prosecuted against the principal and surety, or either of them, in the name of the Municipality as plaintiff. Such action shall be prosecuted before a Circuit Court Judge or associate Circuit Court Judge, and in the event of cases caused to be prosecuted by a Municipal Judge, such shall be on the transcript of the proceedings before the

§ 125.230

§ 125.270

Municipal Judge. All monies recovered in such actions shall be paid over to the Municipal Treasury to the General Revenue Fund of the Municipality.

**SECTION 125.240: DISQUALIFICATION OF MUNICIPAL JUDGE FROM HEARING A PARTICULAR CASE**

A Municipal Judge shall be disqualified to hear any case in which he/she is in any way interested, or, if before the trial is commenced, the defendant or the prosecutor files an affidavit that the defendant or the Municipality, as the case may be, cannot have a fair and impartial trial by reason of the interest or prejudice of the Judge. Neither the defendant nor the Municipality shall be entitled to file more than one (1) affidavit or disqualification in the same case.

**SECTION 125.250: FAILURE TO APPEAR IN MUNICIPAL COURT**

- A. A person commits the offense of failure to appear in Municipal Court if:
1. He/she has been issued a summons for a violation of any ordinance of the Town of Grantwood Village, and fails to appear before the Judge of the Municipal Court at the time and on the date on which he/she was summoned, or at the time or on the date to which the case was continued;
  2. He/she has been released upon recognition of bond and fails to appear before the Judge of the Municipal Court at the time and on the date on which he/she was summoned, or at the time or on the date to which the case was continued;
  3. He/she has been placed on Court supervised probation, and fails to appear before the Judge of the Municipal Court at the time specified by said Judge as a condition of the probation.
- B. Nothing in this Section shall prevent the exercise of the Municipal Court of its power to punish for contempt.

**SECTION 125.260: TEMPORARY MUNICIPAL JUDGE**

If a Municipal Judge be absent, sick or disqualified from acting, the Chairman may designate some competent, eligible person to act as Municipal Judge until such absence or disqualification shall cease. The Board of Trustees shall provide by ordinance for the compensation of any person designated to act as Municipal Judge under the provisions of this Section.

**ARTICLE II. COURT CLERK**

**SECTION 125.270: SELECTION AND TERM OF COURT CLERK**

The Court Clerk shall be appointed by and serve at the pleasure of the Board of Trustees.

**SECTION 125.280: HOURS—AUTHORIZATION—COMPENSATION**

The position of Court Clerk shall be a part-time position. The Court Clerk shall attend all sessions of the Town of Grantwood Village Municipal Division Court and may be required to be present at the Town of Grantwood Village Hall to perform the duties of the office at such additional times as the Board of Trustees may specify. Compensation for the Court Clerk shall be established by ordinance from time to time.

**SECTION 125.290: COURT CLERK DUTIES**

The Court Clerk shall perform all duties as outlined in the Municipal Code Book under Section 125.360: MUNICIPAL COURT ADMINISTRATIVE PROCEDURES FOR THE TOWN OF GRANTWOOD VILLAGE. (Vil. Ord. No. 620.08,5-20-08)

**SECTION 125.300: BOND**

Within fifteen (15) days after election, and before entering upon the discharge of the above described duties of office, the Court Clerk shall give bond to the Village in the sum of ten thousand dollars (\$10,000.00) conditioned upon the faithful performance of said duties and the said Court Clerk will pay over all monies belonging to the Village, as provided by law, that may come into the Court Clerk's hands.

**ARTICLE III. FINES AND COURT COSTS**

**SECTION 125.310: FINES**

- A. Fines assessed for violation of a Village ordinance shall be in compliance with Missouri State Statutes and as provided by ordinance passed by the Board of Trustees or imposed by the Village Municipal Judge.
- B. Fines assessed for violations of Village traffic ordinances shall be in accordance with the schedule of fines in Section 125.350 of this Chapter, except as otherwise permitted in this Code. (Vil. Ord. No. 489-98, 4-14-98)
- C. In addition to any fine that may be imposed by the Municipal Judge and in addition to all other fees authorized or required by law, the Municipal Judge is hereby empowered to assess an additional fine in the amount of One Hundred and No/100 Dollars (\$100.00) for each letter sent to the defendant for failing to appear in Court to answer to the charges lodged against him or her or to pay his or her fine and costs within the time prescribed by the prosecuting attorney. (Vil. Ord. No. 629.08,6-17-08)
- D. The Municipal Court Judge is not bound by the schedule of fines and may depart from them by either increasing or decreasing the penalty imposed within the judge's discretion. The prosecuting attorney is, likewise, not bound by the schedule of fines and, within the prosecuting attorney's discretion, may recommend and seek either a greater or lesser penalty. (Vil. Ord. No. 489-98, 4-14-98) (Vil. Ord. No. 619.08,6-17-08)

**SECTION 125.320: INSTALLMENT PAYMENT OF FINE**

When a fine is assessed for violation of an ordinance, it shall be within the discretion of the Judge assessing the fine to provide for the payment of the fine on an installment basis under such terms and conditions as he/she may deem appropriate.

**SECTION 125.330: COURT COSTS**

- A. In addition to any fine that may be imposed by ordinance or the Municipal Judge in any case filed in the Village Municipal Division, there shall be assessed costs in compliance with Missouri State Statutes and as provided by ordinance passed by the Board of Trustees.
- B. Costs assessed in addition to any fine imposed by ordinance or the Municipal Judge shall be in accordance with the schedule of court costs in Section 125.350 of this Chapter, and as otherwise permitted in this Code. (Vil. Ord. No. 510-99, 7-13-99)

**SECTION 125.350: SCHEDULE OF FINES AND COURT COSTS**

In accordance with the provisions of Section 125.310, fines assessed for violations of Village traffic ordinances shall be as provided in the following schedule of fines.

**SCHEDULE OF FINES**  
**(Not including Court Costs)**

<u>Speeding Violations</u>	<u>Moving Violations</u>	<u>Non-Moving Violations</u>
<u>1-10 miles over limit = \$77.50</u>	<u>Disobeyed Electric Signal = \$84.50</u>	<u>Seat Belt Violation-Adult (no court cost)</u>
<u>11 miles over limit = \$80.50</u>	<u>Disobeyed Stop Sign = \$74.50</u>	<u>Seat Belt Violation-Child (no court cost)</u>
		<u>= \$50.00</u>
<u>12 miles over limit = \$83.50</u>	<u>Disobeyed School Stop Sign = \$80.50</u>	<u>Improper Parking = \$35.50</u>
<u>13 miles over limit = \$86.50</u>	<u>Failure To Yield Right of Way = \$80.50</u>	<u>Improper Handicapped Parking= \$68.50</u>
<u>14 miles over limit = \$89.50</u>	<u>Improper Passing = \$74.50</u>	<u>Failure to Dim Lights = \$60.50</u>
<u>15 miles over limit = \$92.50</u>	<u>Following Too Close = \$70.50</u>	<u>Improperly Affixed Plates = \$60.50</u>
<u>16 miles over limit = \$95.50</u>	<u>Unsafe Backing In Traffic Lane = \$80.50</u>	<u>Resident without Windshield Emblem= \$</u>
<u>17 miles over limit = \$98.50</u>	<u>Operating Truck Where Prohibited= \$70.</u>	<u>Impeding Flow of Traffic = \$70.50</u>
<u>18 miles over limit = \$101.50</u>	<u>Revoked Driver's License = \$120.50</u>	<u>Expired State Plates = \$75.50</u>
<u>19 miles over limit = \$104.50</u>	<u>Improper Driver's License = \$100.50</u>	<u>Improper Registration = \$70.50</u>
<u>20 miles over limit = \$107.50</u>	<u>Improper Lane Use = \$74.50</u>	<u>Improper Equipment = \$66.50</u>
<u>Over 20 miles requires</u>	<u>Failure To Signal = \$74.50</u>	<u>Improper Inspection Certificate = \$66.50</u>
<u>mandatory</u>	<u>Failure To Keep To Right = \$78.50</u>	<u>False Temporary Tag = \$99.50</u>
<u>court appearance.</u>	<u>No Proof of Insurance = \$159.50</u>	
	<u>Improper Turns = \$74.50</u>	
	<u>Excessive Speed From Start = \$68.50</u>	

IF YOU ARE UNDER 18 YEARS OF AGE AND CHARGED WITH A MOVING VIOLATION, YOU MUST APPEAR IN COURT WITH A PARENT.

In accordance with the provisions of Section 125.330, court costs assessed in addition to any fine imposed shall be as provided in the following schedule of court costs.

**SCHEDULE OF COURT COSTS**

Village Traffic Violations Bureau	\$12.00
Crime Victims Compensation Surcharge	7.50
Peace Officer Standards & Training	
Fund Surcharge	<u>1.00</u>
Total	<u>\$20.50</u>

Prior to the Board of Trustees approval, this Schedule was submitted to The Honorable Timothy Devereux for approval:

\_\_\_\_\_  
Judge Timothy Devereux

\_\_\_\_\_  
Date

**SECTION 125.360: MUNICIPAL COURT ADMINISTRATIVE PROCEDURES FOR THE TOWN OF GRANTWOOD VILLAGE****A. COURT CLERK**

The Court Clerk shall be responsible for performing clerical and file maintenance functions for the Grantwood Village Municipal Court in compliance with the rules and regulations of the Office of State Courts Administration in Jefferson City as well as the State of Missouri statutes and the Ordinances of The Town of Grantwood Village.

Following are other related and detailed functions of the office of Court Clerk:

**B. COURT CORRESPONDENCE**

1. All correspondence addressed to, or otherwise intended to be received by, the Village Municipal Court, Village Judge, Village Prosecuting Attorney or Court Clerk shall, on each Friday, be picked up by the Court Clerk.
2. The Court Clerk will promptly forward to the Village Prosecuting Attorney's office all correspondence received from attorneys or others that are intended for the attention of the Prosecuting Attorney.
3. The Prosecuting Attorney, or his/her representative will, up to the next court date, advise the Court Clerk of any actions taken by the Prosecuting Attorney with respect to pending cases, or other subjects deemed appropriate for inclusion on the next Court Docket.

**C. COURT RECORDS****COURT CLERK**

1. Prepares and maintains the Municipal Court records.
2. Maintains traffic ticket records by entering all information into a computer file.
3. May obtain certified copies of driving records from the DOR in cases where the prosecutor requires one to make a determination and one has not been provided by defendant's attorney.
4. Receives police reports and files with summons and forwards to the office of the Prosecuting Attorney in cases where a police report is written (e.g., DWI, thefts, special cases).
5. Reports the number of cases on the docket to the Village Treasurer. The Treasurer completes the reports for the Crime Victim's Fund and state police training fund and makes the payment for these funds to the State.
6. Serves as legal custodian of police records.
7. The Village will, as needed, make available any equipment or appropriate space for the preparation and maintenance of the court records including storage of completed files.





## D. COURT DOCKET

## COURT CLERK

1. Prepares court dockets and all court documents.
2. Records court proceedings in permanent court files. After attending each court session, prepares deposit of monies collected during court and enters all dispositions of case files into the computer.
3. Is responsible for preparing the Court Docket and distributing copies on the Friday prior to the next court date to the Prosecuting Attorney.
4. Shall bring an updated copy of the docket on the day of court with corrections, if any are required for the following:
  - A. Municipal Judge
  - B. Prosecuting Attorney (Vil. Ord. No. 651-11, 1-18-11)

The office of the Prosecuting Attorney reserves the right to update the docket the day of court.

Court dates are established by Village Ordinance and published by the Village Clerk every October for the ensuing year.

## E. COURT FUNDS AND BOND FUNDS

Court funds, including fines, bonds, etc., received either at court, by mail, or otherwise shall be received, at least weekly, by the Court Clerk.

1. Receipt of Court Funds:
  - a. The Court Clerk shall record funds from and to the credit of each respective payer of funds.
  - b. Court Clerk shall mail a receipt to each payer if requested by such payer.
  - c. Court Clerk balances the cash drawer and ledger in addition to maintaining receipts of all monies sent to the Village Treasurer.
  - d. Court Clerk shall forward the following to the Village Treasurer.
    - 1) Copy of each receipt prepared.
    - 2) Printed sheet listing individually each amount received from each payer and total of such funds received by the Clerk.
  - e. Occasionally defendants make payments at the office of the Prosecuting Attorney. All such funds will be promptly delivered to the Village Hall, ATTN: Court Clerk. In some cases, defendants pay by cash. Such payments will be deposited in trust at the

Prosecutor's law firm and the law firm's office manager will cut a check with receipt to "Town of Grantwood Village."

2. Deposit of Court Funds

- a. The Village Treasurer shall verify that the total funds received equal the dollar amount shown on the Clerk's sheet and the total amount of the receipts received from the Clerk.
- b. Treasurer shall prepare a deposit slip with check or other receipt listed individually and deposit in the Village Municipal General Account.

3. Receipt and Deposit of Bond Funds

- a. The Court Clerk receives all bond funds, records and deposits such funds.
- b. Court Clerk is responsible for maintaining the Village Municipal Bond bank checking account, and for making deposits to and appropriate withdrawals from the account.

F. LETTERS TO DEFENDANTS AND OTHERS

1. Failure to Appear in Court

The Court Clerk, promptly after each court session, will forward, via U.S. Mail, a letter to each defendant that received a summons to appear in court on that respective court date and failed to appear, be represented by counsel or failed to have an official excuse to be absent. Said defendant will be assessed an additional fine of \$100 for failure to appear.

2. Failure to Pay Outstanding Judgment

The Court Clerk, promptly after the required date for payment resulting from an individual's plea of guilty, or conviction and the failure of the Court to receive such payment, will prepare and forward via U.S. Mail a letter to each delinquent in making such payment to the Court.

3. Sends letters for violation of bad checks written to the court and accepts fees and funds on same.

All letters will be printed on Village letterhead.

G. WARRANTS

COURT CLERK

1. Prepares or arranges to have prepared, an original warrant and affidavit, and three copies of each.
2. Arranges for the Judge to sign the original Warrant and Affidavit and make the copies of each.
3. Retains one copy of the Warrant and Affidavit for the court records, and will forward the signed Warrant and Affidavit, together with one copy of each to the St. Louis County Police Department Fugitive Section.
4. Forwards one copy of the Warrant and Affidavit to the Prosecuting Attorney's Office.
5. Places call to St. Louis County Warrant Office to cancel paid warrants.

**H. COURT ADMINISTRATION**

1. Monthly reports will be sent to OSCA (Office of the State Courts Administrator) as required.
2. Accepts and processes all forms for trials in the circuit court and forwards same to St. Louis County Circuit Court.
3. Court Clerk, upon disposition of a case, will send the original citation to the Missouri State Highway Patrol for assessment of points when applicable. (Vil. Ord. No. 623.08, 05-20-08)



## **CHAPTER 130: TAXATION AND FINANCE**

### **ARTICLE I. FISCAL YEAR**

#### **SECTION 130.010: FISCAL YEAR ESTABLISHED**

The Fiscal Year for the Town of Grantwood Village shall begin the first (1st) day of July of each year and all Village Budgets, audits and other statutory requirements shall be prepared on a July first (1st) fiscal year and all required matters concerning same be required to use such dates for those statutory and other necessary purposes.

### **ARTICLE II. BUDGET**

#### **SECTION 130.020: BUDGET REQUIRED—CONTENTS—EXPENDITURES NOT TO EXCEED REVENUES**

- A. Prior to the commencement of each fiscal year, a budget for the Village shall be prepared, and the same will be presented to and approved by the Board of Trustees.
- B. The annual budget shall present a complete financial plan for the ensuing fiscal year, and shall include at least the following information:
  1. A budget message describing the important features of the budget and major changes from the preceding year;
  2. Estimated revenues to be received from all sources for the budget year, with a comparative statement of actual or estimated revenues for the two (2) years next preceding, itemized by year, fund, and source;
  3. Proposed expenditures for each department, office, commission, and other classification for the budget year, together with a comparative statement of actual or estimated expenditures for the two (2) years next preceding, itemized by year, fund, activity, and object;
  4. The amount required for the payment of interest, amortization, and redemption charges on the debt of the political subdivision;
  5. A general budget summary.
- C. In no event shall the total proposed expenditures from any fund exceed the estimated revenues to be received plus any unencumbered balance or less any deficit estimated for the beginning of the budget year; provided, that nothing herein shall be construed as requiring any political subdivision to use any cash balance as current revenue or to change from a cash basis of financing its expenditures.

#### **SECTION 130.030: BUDGET OFFICER**

- A. The budget shall be prepared under the direction of a Budget Officer. Except as otherwise provided by law, or ordinance, the Budget Officer shall be designated by the Board of Trustees of the Village.

All officers and employees shall cooperate with and provide to the Budget Officer such information and such records as he/she shall require in developing the budget. The Budget Officer shall review all the expenditure requests and revenue estimates, after which he/she shall prepare the proposed budget as defined herein.

- B. After the Budget Officer has prepared the proposed budget, he/she shall submit it, along with such supporting schedules, exhibits, and other explanatory material as may be necessary for the proper understanding of the financial needs and position of the Village to the Board of Trustees. He/she shall submit at the same time complete drafts of such orders, motions, resolutions, or ordinances as may be required to authorize the proposed expenditures and produce the revenues necessary to balance the proposed budget.

**SECTION 130.040: BOARD OF TRUSTEES MAY REVISE BUDGET, LIMITS—APPROVAL**

The Board of Trustees may revise, alter, increase or decrease the items contained in the proposed budget, subject to such limitations as may be provided by law; provided, that in no event shall the total authorized expenditures from any fund exceed the estimated revenues to be received plus any unencumbered balance or less any deficit estimated for the beginning of the budget year. Except as otherwise provided by law, the Board of Trustees shall, before the beginning of the fiscal year, approve the budget and approve or adopt such orders, motions, resolutions, or ordinances as may be required to authorize the budgeted expenditures and produce the revenues estimated in the budget.

**SECTION 130.050: INCREASE OF EXPENDITURE OVER BUDGETED AMOUNT TO BE MADE ONLY ON FORMAL RESOLUTION**

After the Village has approved the budget for any year and has approved or adopted the orders, motions, resolutions, or ordinances required to authorize the expenditures proposed in the budget, the Village shall not increase the total amount authorized for expenditure from any fund, unless the Board of Trustees adopts a resolution setting forth the facts and reasons making the increase necessary and approves or adopts an order, motion, resolution or ordinance to authorize the expenditures.

**ARTICLE III. LEVY OF TAXES**

**SECTION 130.060: BOARD TO PROVIDE FOR LEVY AND COLLECTION OF TAXES—FIX PENALTIES**

The Board of Trustees shall, from time to time, provide by ordinance for the levy and collection of all taxes and licenses, including other dues, and shall fix the penalties for neglect or refusal to pay the same, which now or hereafter may be authorized by law or ordinance.

**SECTION 130.070: BOARD TO FIX RATE OF LEVY**

The Board of Trustees shall, within a reasonable time after the St. Louis County Assessor's books of each year are closed, ascertain the amount of money to be raised thereon for general and other purposes, and fix the annual rate of levy therefor by ordinance.

**SECTION 130.080: ASSESSMENT—METHOD OF**

The St. Louis County Assessor's office levies all property, real and personal assessments, as of the first day of January of each year. It shall be the duty of the Village Clerk to procure from the St. Louis County Department of Revenue a certified abstract for his/her assessment books of all property within the corporate limits of the Village made taxable by law for State purposes, and the assessed annual valuation thereof as agreed upon by the Board of Equalization.

**SECTION 130.090: CLERK TO PREPARE TAX RATE**

The Village Clerk shall take the assessed valuations of the real property along with certified taxable improvement statement from the St. Louis County Department of Revenue and calculate the tax rate per formula issued by the Auditor of the State of Missouri. It shall then be the duty of the Board of Trustees to establish by ordinance, the rate of taxes for the current year.

**SECTION 130.100: COLLECTOR—CONTRACT WITH COUNTY**

The Chairman with the approval of the Board of Trustees is authorized to enter into a contract on behalf of the Village with the Collector of St. Louis County, Missouri, to collect all annual real estate and personal property taxes levied by the Village. This contract must be attested to by the Village Clerk.

**SECTION 130.110: TAXES DELINQUENT—WHEN**

On the first (1st) day of January of each year, all unpaid Village taxes shall become delinquent and the taxes on real estate are hereby made a lien thereon; and all such delinquent taxes shall bear interest thereon at the rate of two percent (2%) per month from the time they become delinquent, not to exceed eighteen percent (18%) per year, until paid; and shall also be subject to the same fees, penalties, commissions and charges as provided by law of the State of Missouri for delinquent State and County taxes, and shall be collected from the property owners and the enforcement of all taxes, penalties, fees, commissions and charges authorized by law and provided for herein to be paid by property owners shall be made in the same manner and under the same rules and regulations as are or may be provided by law for the collection and enforcement of the payment of State and County taxes, including fees, penalties, commissions and other charges.

## **CHAPTER 135: HANDICAPPED DISCRIMINATION**

### **SECTION 135.010: PURPOSE**

In order for the Town of Grantwood Village to assure that all programs it undertakes are established in a manner which assures that all residents of the Town of Grantwood Village have an equal opportunity to participate or utilize such programs regardless of their handicap status, the following procedure is adopted for the processing of alleged complaints of discrimination on the basis of handicapped status.

### **SECTION 135.020: FILING OF COMPLAINT**

Any person who believes that they have been discriminated against because of handicapped status shall have the right to file a written complaint of said discrimination with the Village Clerk of the Town of Grantwood Village.

### **SECTION 135.030: PROCEDURE**

- A. The Village Clerk shall within ten (10) days of the receipt of an alleged complaint cause a meeting to occur with the complainant to determine all details of the incident. Then complainants may request that any witnesses to the alleged incident be present to offer corroboration to the complaint.
- B. The Village Clerk shall make a written record of all information given at this meeting and shall provide said record to the Board of Trustees at its next regularly scheduled meeting.
- C. At its next regular meeting, the Board of Trustees shall review the record prepared and submitted by the Village Clerk and shall make a determination as to the validity of the complaint.
- D. If it is determined that the complaint is valid, the Board of Trustees shall make adjustments to the program or service to assure that the discriminatory policy is discontinued.

### **SECTION 135.040: EMPLOYMENT**

The Town of Grantwood Village will not discriminate in the hiring, promotion, disciplining or removal of any Village employee on the basis of handicap status.



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