

AN ORDINANCE REPEALING SECTION 1.125.380 OF THE CODE OF ORDINANCES OF THE CITY OF GLADSTONE, MISSOURI, PERTAINING TO THE SHERIFF RETIREMENT FUND SURCHARGE.

WHEREAS, on June 1, 2021, the Supreme Court of Missouri issued its opinion in the case of *Daven Fowler, et al., v. Missouri Sheriffs' Retirement System* holding Section 57.955 RSMo., imposing a \$3 sheriffs' retirement system surcharge court cost, is unconstitutional; and

WHEREAS, the City Council desires to amend the Code to reflect that decision by repealing Section 1.125.380 of the Code of Ordinances.

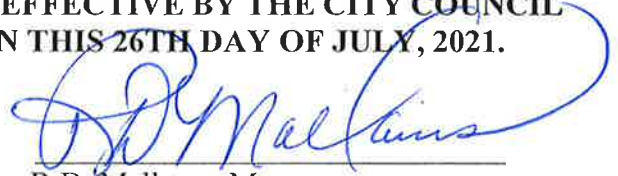
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI AS FOLLOWS:

Section 1. That Section 1.125.380 of the Code of Ordinances of the City of Gladstone, Missouri, imposing an additional court cost payable to the Missouri Sheriff Retirement Fund, is hereby repealed.

Section 2. That this Ordinance shall be in full force and effect from and after the date of its passage and approval.

Section 3. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

INTRODUCED, PASSED, SIGNED, AND MADE EFFECTIVE BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, ON THIS 26TH DAY OF JULY, 2021.



R.D. Mallams, Mayor

ATTEST:



Ruth E. Bocchino, City Clerk

First Reading: July 26, 2021

Second Reading: July 26, 2021



Request for Council Action

RES #

BILL # Bill #21-24

ORD # 4.562

Date: 7/22/2021

Department: Public Safety

Meeting Date Requested: 7/26/2021

Public Hearing: Yes Date: [Click here to enter a date.](#)

Subject: Repealing Section 1.125.380 of the City of Gladstone pertaining to the Sheriff Retirement Fund Surcharge.

Background: The Supreme Court of Missouri deemed the \$3.00 sheriff's retirement system surcharge as unconstitutional, and the city desires to amend our Code to reflect this decision.

Budget Discussion: Funds are budgeted in the amount of \$0 from the General Fund and \$ from the --- Fund. Ongoing costs are estimated to be \$ 0 annually. Previous years' funding was \$0 collectively from both funds.

Public/Board/Staff Input: Staff recommends approval of the proposed Ordinance.

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Ruth Bocchino
Department Director/Administrator

JM
City Attorney

SW
City Manager