



NEWS RELEASE

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MISSOURI SUPREME COURT REJECTS APPEAL OF RED LIGHT CAMERA CHARTER AMENDMENT

ST. CHARLES COUNTY, MO – On Tuesday, May 30, the Missouri Supreme Court denied the plaintiffs’ application to transfer the case that challenged the constitutionality of the St. Charles County Charter Amendment prohibiting light cameras throughout St. Charles County, both within and outside of the incorporated cities. The ordinance that was the subject of the suit was proposed by the County Council and sent to a county-wide vote, where it was approved and adopted by the voters in November 2014.

“This is a good day and another victory for the voters of St. Charles County,” says County Executive Steve Ehlmann. “The charter form of government gives the power to the people to tell city and county governments what they want in their communities. Over 72 percent of our voters approved the Charter Amendment. This is clearly what the voters wanted.”

The Charter Amendment was challenged in a lawsuit filed after the November 2014 election results were certified. The plaintiffs bringing suit against the validity of the Charter amendment were the cities of St. Peters, O’Fallon, and Lake Saint Louis, and residents Jim Pepper and Pam Fogarty. The County and the County’s Election Authority were named as the defendants. The suit challenged the constitutionality of the amendment and the wording of the proposition that went before the voters. On Nov. 16, 2015, the 11th Judicial Circuit Court handed down a judgment upholding the constitutionality of the Charter amendment. After the Plaintiffs appealed, the Missouri Court of Appeals affirmed the 11th Judicial Circuit Court’s judgment on Jan. 24, 2017.

“Some in the cities complain the County cannot tell them what to do – and they are right. The county voters, however, can tell them what to do,” Ehlmann explains, adding, “The action by the County Council to put this on the ballot could have been taken up by the people through initiative petition. The Council and the people took action because a state-wide bill to ban red-light cameras had been killed for three successive years by lobbyists in Jefferson City. The rights of the voters of this County have been upheld by the 11th Judicial Circuit Court, the Missouri Court of Appeals and the Missouri Supreme Court.”

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The ban on red light cameras is not the first time the voters have restricted the legal rights of a political subdivision in the County Charter. When the original charter was submitted to the voters, municipalities supported charter language prohibiting County Government from using the authority granted to every other county in the state to challenge municipal annexations not meeting the statutory criteria in court.

After issues arose with the way municipal boundaries were created, the County Council placed a Charter Amendment on the ballot asking voters to approve a provision authorizing the County to challenge municipal annexations which violate the provisions of state statutes. In April 2004, county voters approved this amendment, titled Proposition S, with a 70 percent majority. Additionally, the voters approved a charter provision requiring the County to contribute 50 percent of the county-wide "Road and Bridge" property tax to municipalities while state statute was only permissive.

With the denial of transfer of the case by the Supreme Court, the Court of Appeals decision upholding the ban on red light cameras throughout the County is now final.

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Founded in 1812, St. Charles County is one of the fastest growing counties in Missouri, and the state's third largest county in both population and economic share. St. Charles County consistently ranks one of the healthiest places to live in Missouri in the County Health Rankings report published by the Robert Wood Johnson Foundation and the University of Wisconsin Population Health Institute. It is home to 12 scenic county parks encompassing more than 2,800 acres with additional land under development and more in reserve for future development.

With a population of 385,840, St Charles County is home to large employers including Citi, MasterCard Worldwide, Boeing and General Motors. It is ranked among the top 25 counties in the nation in high-tech job growth by the Progressive Policy Institute and consistently has the lowest unemployment rate in the Metropolitan St. Louis area.

St. Charles County employs nearly 1,100 in more than 30 departments and offices, who work to make the county an excellent place to live, work and shop.

For more information, please visit www.sccmo.org.