

1 **BOARD BILL NO. 256 INTRODUCED BY ALDERMAN JEFFREY BOYD**

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3 An Ordinance pertaining to the City of St. Louis Parking Commission and the
4 administration and use of the Parking Meter Fund.

5 **WHEREAS**, Chapter 17.62 of the City Code establishes the City's Parking
6 Commission and governs the administration and use of the Parking Meter Fund
7 established therein; and

8 **WHEREAS**, Missouri statutes § 82.485 and § 82.487 purport to establish a City
9 of St. Louis parking commission composed of municipal officers of the City of St. Louis
10 and to dictate the administration and use of the Parking Meter Fund; and

11 **WHEREAS**, the City and Parking Commission have incurred various debts and
12 financing obligations, including but not limited to, expenses for operations and
13 maintenance, debt service obligations on outstanding parking bonds, and capital
14 improvements; and

15 **WHEREAS**, there is pending litigation regarding the constitutionality and
16 validity of Missouri statutes § 82.485 and § 82.487; and

17 **WHEREAS**, in the event Missouri statutes § 82.485 and § 82.487 are held
18 unconstitutional and/or invalid, the City wishes to assure that the Parking Commission
19 created pursuant to Chapter 17.62 of the City Code continues to function and fulfill the
20 various legal and financial obligations of the Parking Commission without delay or
21 interruption; and

22 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ST. LOUIS**
23 **AS FOLLOWS:**

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SECTION ONE. If Missouri statutes § 82.485 and § 82.487 are held unconstitutional and/or invalid, in whole or in part, the Parking Commission established pursuant to the provisions of Chapter 17.62 of the City Code shall be entitled and obligated to take all actions and measures required to assure that Parking Commission functions continue without interruption and that the Parking Commission's financial obligations are timely met and satisfied. In such case, and to the extent necessary or applicable, the Parking Commission established pursuant to the provisions of Chapter 17.62 of the City Code shall considered a successor in interest to any Parking Commission previously created pursuant to Missouri statutes § 82.485 and § 82.487.

In addition, if Missouri statutes § 82.485 and § 82.487 are held unconstitutional and/or invalid, in whole or in part, the Parking Commission established pursuant to the provisions of Chapter 17.62 of the City Code shall have all authority required to assure that Parking Commission functions continue without interruption and that the Parking Commission's financial obligations are timely met and satisfied.

SECTION TWO. This being an ordinance necessary for the immediate preservation of the public peace, health and safety, the Board of Aldermen hereby finds and determines that this Ordinance constitutes an “emergency measure” pursuant to Article IV, Section 20 of the City Charter, and as such, this Ordinance shall take effect immediately upon its approval by the Mayor as provided in Article IV, Section 20 of the City Charter.