

BILL NO. 11
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SUNSET HILLS, MISSOURI, PROVIDING FOR THE APPROVAL OF AN AGREEMENT FOR THE INSTALLATION AND MAINTENANCE OF LICENSE PLATE READER EQUIPMENT – ROLES AND RESPONSIBILITIES WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION ASSOCIATED WITH THE PLACEMENT OF A LICENSE PLATE READER ON MODOT RIGHT OF WAY, AND MATTERS RELATED THERETO

WHEREAS, the Missouri Highways and Transportation Commission (the “Commission”) is an entity of the State of Missouri created by state law and owns and maintains US 61/67, State Route 366 and State Route 30 in St. Louis County, Missouri (the “Roadways”);

WHEREAS, the City of Sunset Hills, Missouri (the “City”) desires to place License Plate Readers within the City within the Commission’s right of way on one or more of the Roadways;

WHEREAS, as a requirement of the City installing and maintaining License Plate Reader equipment within the Commission’s right of way on one or more of the Roadways, the City must agree to certain roles and responsibilities as set forth in an Agreement for Installation and Maintenance of License Plate Reader Equipment, a copy of which is attached hereto as Exhibit A (the “Rights and Responsibilities Agreement”); and

WHEREAS, the Board of Aldermen of the City believe it is in the best interest of the City to enter into the Rights and Responsibilities Agreement with the Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SUNSET HILLS, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The Board of Aldermen of the City of Sunset Hills, Missouri, approves the Rights and Responsibilities Agreement for the installation and maintenance of license plate reader equipment within Commission right of way substantially in the form attached hereto as Exhibit A. The terms of the Rights and Responsibilities Agreement shall be substantially similar to, and no less favorable to the City, than the terms reflected within the attached Rights and Responsibilities Agreement.

Section 2. The City shall and the Mayor, Police Chief and other appropriate officers, agents and employees of the City are hereby authorized to execute the Rights and Responsibilities Agreement, in substantially the form attached hereto as Exhibit A, incorporated herein by reference, and to take such further actions and execute and deliver such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 3. The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance shall be deemed valid, unless the court finds the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot

be presumed that the governing body of the City has enacted the valid portions without the invalid ones, or unless the courts finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with legislative intent. All prior ordinances in conflict herewith shall be and are hereby repealed.

Section 4. This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED this _____ day of _____, 2022

MAYOR

APPROVED this _____ day of _____, 2022

MAYOR

ATTEST: _____

CITY CLERK/CITY ADMINISTRATOR