

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE REMOVAL AND DESTRUCTION OF MUNICIPAL COURT RECORDS THAT HAVE MET ALL REQUIREMENTS TO BE ELIGIBLE FOR SUCH DESTRUCTION AND ARE THE SUBJECT OF CIRCUIT COURT ADMINISTRATIVE ORDER NO. 2018-210.

WHEREAS, pursuant to Section 483.680 RSMo (Court Revision Law), all records belonging to a municipal court on January 1, 1979, shall on January 2, 1979, become records of the circuit court in which such municipality or major geographical area thereof shall be located; and,

WHEREAS, certain case records, non-court heard violations and financial records of the Municipal Court of Independence, Missouri, a division of the 16th Judicial Circuit Court of Jackson County, Missouri, were identified and processed according to the procedures established by Missouri Supreme Court Administrative Rule 8 for records retention and destruction; and,

WHEREAS, the Circuit Court of Jackson County, Missouri, at its March 16, 2018, en banc meeting did, by Administrative Order No. 2018-210, order and decree that the Presiding Judge of the Municipal Court is authorized to destroy certain case records, non-court heard violations and financial records; and,

WHEREAS, Article 14, Section 14.7 of the Charter of the City of Independence, Missouri, prohibits the destruction of any City record of account, voucher, contract, lease, insurance policy, payroll time record, tax deed, purchase order, Police or Municipal Court record or other official document in any office or agency of the City Government, except as may be provided by ordinance; and,

WHEREAS, the City Council, being advised that certain case records, non-court heard violations and financial records of the Municipal Court have met the minimum retention requirements, does desire to destroy said records to provide needed storage space for more current documents;

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

SECTION 1. That the Mayor is hereby authorized to direct the Presiding Judge of the Municipal Court to remove and destroy records eligible for destruction identified in the Order Of Destruction, said report being attached hereto and incorporated by reference herein.

SECTION 2. That the Mayor is hereby authorized to direct the City Clerk and the Clerk of the Municipal Court to record the action in the permanent journal of destroyed documents.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith shall be and are hereby repealed.

PASSED THIS _____ DAY OF _____, 2018, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager