

AN ORDINANCE OF THE COUNCIL OF THE CITY OF RICHMOND HEIGHTS, MISSOURI AUTHORIZING THE MAYOR OF THE CITY OF RICHMOND HEIGHTS TO EXECUTE A CONTRACT ON BEHALF OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, WITH ST. LOUIS COUNTY, MISSOURI, FOR REFERRAL OF CERTAIN MUNICIPAL ORDINANCE VIOLATIONS TO THE ST. LOUIS COUNTY MENTAL HEALTH COURT.

WHEREAS, from time to time defendants in municipal court proceedings have special needs that cannot be effectively and efficiently served by the City's Municipal Court, and

WHEREAS, St. Louis County has established a Mental Health Court that is better equipped to serve such persons, and

WHEREAS, the City is authorized by state law (479.040 RSMo) to refer such matters pursuant to contract to St. Louis County, as may be designated on the information by the prosecutor as involving an accused with special needs due to mental disorder or mental illness, as defined by section 630.005, or whose special needs, circumstances, and charges cannot be adequately accommodated by the City's Municipal Court, provided that the County Municipal Court has established specialized dockets or courts to provide such adequate accommodations and resources for specifically handling such matters, such as a mental health court, housing court, domestic violence court, family court, or DWI court, and the County Municipal Court accepts such election by County contract, and further provided that upon a determination by the court that the accused does not have such special needs, the matter shall be transferred back to the City's Municipal Court,

NOW, THEREFORE: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHMOND HEIGHTS, as follows:

SECTION 1. The MAYOR is hereby authorized and directed to enter into and execute an agreement with St. Louis County, Missouri, regarding mental health court services substantially in form of Exhibit A attached hereto, and the City Clerk is authorized and directed to attest thereto. The Agreement as executed shall be consistent with the provisions and intent of this Ordinance and necessary, desirable, convenient or proper in order to carry out the matters herein authorized. The City Manager and her designated representatives, and the Municipal Court, are hereby authorized and directed to take any and all actions necessary, desirable, convenient or proper in order to carry out the intent of this Ordinance, the matters herein authorized, and the rights and duties of the City under the Agreement.

SECTION 2. All attorneys employed by the St. Louis County Counselor's Office and designated by the St. Louis County Counselor are hereby appointed as Mental Health Court

Prosecuting Attorneys for the City of Richmond Heights, Missouri, for purposes of handling cases referred under the hereby approved contract.

SECTION 3. It is hereby declared to be the intention of the City Council that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the City Council intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

SECTION 4. This Ordinance shall take effect and be in full force on the thirty-first day following its passage and being signed as provided by law.

PASSED and SIGNED this 3rd day of December, 2012.

JAMES J. BECK
MAYOR

ATTEST:

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ
CITY ATTORNEY

First reading: November 19, 2012
Second reading: December 3, 2012