

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

ARDEN ENGELAGE, HUBERT KLUESNER, ) No. ED97965  
and DAN HAMPSON, Commissioners of )  
Warren County, Missouri, Appellants, ) Appeal from the Circuit Court  
 ) of Warren County  
vs. )  
 )  
CITY OF WARRENTON, MISSOURI, Respondent.) Filed: September 18, 2012

Two political subdivisions of the state – Warren County and the City of Warrenton – find themselves at loggerheads over whether the city may require the county to comply with city building codes in the construction of the county’s new administration building. The county, with statutory authority to build a building, contends it may do so virtually unfettered. The county posits that the city’s authority is limited to regulating the erection and maintenance of hitching posts, sidewalks, guttering, curbing, and the other street-related improvements listed in Section 88.743 of Missouri’s Revised Statutes. The city, on the other hand, contends it has authority to regulate all of the county’s construction activities by virtue of the city’s police power. The trial court entered summary judgment in favor of the city, and the county appeals.

**JUDGMENT AFFIRMED**

**DIVISION FOUR HOLDS:** The City of Warrenton, in the exercise of its police powers, may require Warren County to comply with city building codes in the construction of the county’s new administration building within the city limits.

Opinion by: Lawrence E. Mooney, P.J. Patricia L. Cohen, J. and Kurt S. Odenwald, J.,  
concur.

Attorney for Appellants: H. Kent Munson

Attorneys for Respondent: Daniel G. Vogel, Erin P. Seele, Christopher B. Graville

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