

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY
STATE OF MISSOURI

NORTH COUNTY FIRE & RESCUE)
FIRE PROTECTION DISTRICT,)
Petitioner,)
v.)
CITY OF RIVERVIEW,)
Serve at:)
9699 Lilac Drive)
Riverview, MO 63137)
Respondent.)

**VERIFIED PETITION FOR DECLARATORY JUDGMENT, INJUNCTIVE RELIEF,
AND TEMPORARY RESTRAINING ORDER**

Introduction

1. The North County Fire & Rescue Fire Protection District brings this action to ensure that the Respondent City of Riverview (“City”) defers to North County Fire & Rescue Fire Protection District’s authority under §321.010, §321.220 (1)-(18), and §321.600 (1)-(17) of the Revised Statutes of Missouri to provide for the control, suppression and/or prevention of fires within the boundaries of the district, including the City of Riverview.

2. Respondent City has installed and is intending to install in the future speed bumps and speed humps (sometimes known as calming devices) on City streets in contravention to the International Fire Code (IFC) and the National Fire Protection Association (NFPA). Further, Respondent City has closed streets, delaying response times, without notification to Petitioner. And further, the Respondent City fails to notify Petitioner of commercial property needing inspection and permits related to new and existing commercial structures.

3. The City of Riverview has installed these speed bumps and speed humps despite being advised and warned by the North County Fire & Rescue Fire Protection District that the type of speed bumps and speed humps installed delay first responders access and response time to an emergency situation; that the height and width of these traffic devices have damaged the Fire Protection District's vehicles and apparatuses; that the damage to the vehicles and apparatuses cause the Fire Protection District expenses and repairs to their apparatuses, all of which wastes tax payers dollars. Further, Petitioner has advised Respondent City that commercial buildings must be inspected and proper permits be obtained for new and existing structures, all of which has been ignored by Respondent City.

4. The North County Fire & Rescue Fire Protection District brings this action in order to enforce the provisions under Chapter 321 of the Revised Statutes of Missouri and the District's powers and authorities under Chapter 321 for the prevention and suppression of fires, and supply protection to persons and property against injuries and damage from fire and from hazards which do or may cause fire.

Parties, Venue, and Jurisdiction

5. Petitioner, North County Fire & Rescue Fire Protection District, is a political subdivision in St. Louis County, Missouri, organized and existing under Chapter 321 of the Revised Statutes of Missouri, and is responsible for fire protection and suppression and the attendant safety and welfare of the residents of the District.

6. The City of Riverview is a third-class city organized under Chapter 77 RSMo and is located in St. Louis County, Missouri.

7. Chief Keith Goldstein is the Chief of the North County Fire & Rescue Fire Protection District and is obligated in his official capacity to represent and defend the Fire

Protection District's legal interests with the authority of the Fire Protection District's Board of Directors.

8. Both Chief Goldstein and the North County Fire & Rescue Fire Protection District bring this action in their official capacities.

9. Respondent City of Riverview's Mayor is Mike Cornell, and the City's official place of business is St. Louis County, Missouri, at 9699 Lilac Drive, Riverview, MO 63137.

10. This Court has jurisdiction because Respondent is located in St. Louis County, Missouri.

11. This Court has the authority and power to enter a declaratory judgment and injunctive relief under §527.010 RSMo.

12. Venue is proper in St. Louis County, Missouri under §508.060 RSMo.

Facts Applicable to All Counts

13. On August 20, 2025, the attorney for North County Fire & Rescue Fire Protection District sent a letter to Respondent, City of Riverview, warning of the use of speed bumps and speed humps on City streets that were within the boundaries of Petitioner North County Fire & Rescue Fire Protection District.

14. Chief Keith Goldstein, on or about October 28, 2025, also sent a letter to Mayor Mike Cornell of the City of Riverview and the City's Alderpersons advising that the Petitioner became aware of the permanent closing of certain streets delaying response times and the requirement to submit to Petitioner sealed architectural drawings and permits related to any project.

15. Despite the letters of August 20, 2025 and October 28, 2025, Respondent has continued to install and maintain speed bumps and speed humps and continued to permanently close streets within the boundaries of Petitioner, as well as allow new or existing commercial structures to not obtain proper permits.

16. Respondent has made no reply to either of the letters sent by the Petitioner to Respondent, and the City continues to ignore them to the detriment of residents' fire protection needs.

17. There is now a real and existing controversy between the parties to this case concerning the closure of public streets, the installation of speed bumps and speed humps, and failure to obtain the proper permits and the validity and scope of Chapter 321 of the Revised Statutes of Missouri and Petitioner's police powers therein.

18. Citizens of the North County Fire & Rescue Fire Protection District and the City of Riverview deserve certainty in resolving this dispute.

19. Chapter 321 of the Revised Statute of Missouri is a general provision pertaining to the organization of fire protection districts, their powers, state policy, public safety, and fire suppression. Chapter 321 vests the District with broad regulatory and police powers to ensure fire protection and safety to residents and property owners in the District.

Count I – Declaratory Judgment

20. Petitioner incorporates and re-alleges all paragraphs above as though more fully set forth herein.

21. Petitioner has the power and responsibility to protect its citizens, provide emergency responses to protect its citizens, and to enact codes and ordinances for fire suppression and prevention.

22. Respondent does not have the power under those legal provisions that is vested solely with Petitioner.

23. Petitioner has no other adequate remedy at law other than this suit.

24. This matter is ripe for judicial determination.

25. This Court should declare that under Chapter 321 of the Revised Statute of Missouri, before installing traffic devices such as speed bumps or speed humps and/or closing public streets, Respondent must collaborate with Petitioner who has the authority and power to regulate these traffic control devices in accordance with the International Fire Code and National Fire Protection Association codes and standards. Further, under this authority, the Petitioner should have traffic devices such as speed cushions and speed tables, and speed bumps and humps be specifically designed under NFPA standards to accommodate emergency vehicles and minimize response time impacts, and further, that Petitioner be actively involved in the decision-making process for such installation of traffic devices under Petitioner's authority pursuant to Chapter 321 RSMo. This Court should further declare Respondent must consult with the District before enacting any permanent closure of streets.

26. Petitioner will be irreparably harmed if Respondent continues to install these traffic devices without Petitioner being involved in the decision-making process for such installations to insure such devices comply with proper standards and to prevent closure of roads that impact the District's ability to provide adequate fire suppression services in the District.

27. The public interest will be promoted if Petitioner is actively involved in the decision-making process for future installations and the replacement or removal of installations that have recently been installed.

28. The public interest will be harmed if Respondent continues to move forward without following the International Fire Code and the National Fire Protection Association recommendation regarding traffic devices as mentioned above.

Requests for Relief

WHEREFORE, Petitioner respectfully requests this Court:

- A. Enter a judgment declaring that North County Fire & Rescue Fire Protection District has the obligation to provide fire protection and fire suppression under Chapter 321 RSMo;
- B. Enter a judgment declaring that Respondent shall not take further steps to install speed bumps, speed humps, and road closures that Petitioner has not been actively involved in decision-making process for such installations;
- C. Issue a temporary restraining order prohibiting Respondent from taking any further steps to fill the anticipated installation of other speed bumps, speed humps, and road closures in the boundaries of Petitioner's Fire Protection District;
- D. Preliminarily enjoin Respondent from taking any further steps to install new speed bumps, speed humps or road closures or permit commercial buildings to not obtain the proper permits;
- E. Permanently enjoin Respondent from installing any further speed bumps and speed humps and require removal or repair of previously installed devices that do not apply with IFC or NFPA fire code standards, permanently enjoin Respondent from public road closures that do not comply with fire standards, and permanently enjoin Respondent from not requiring proper permits for commercial structures;
- F. To grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

BRUNTRAGER & BILLINGS, P.C.

/s/ Daniel J. Bruntrager

Daniel J. Bruntrager, #34546

168 N. Meramec Ave., Suite 400

Clayton, MO 63105

(314) 646-0066

(314) 646-0065 - facsimile

djb@law-stl.com

Attorney for Petitioner

Not an Official Court Document Not an Official Court Document Not an Official Court Document

an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

Not an Official Court Document Not an Official Court Document Not an Official Court Document

VERIFICATION

I, Chief Keith Goldstein, after first being duly sworn upon my oath, state that I have read the foregoing Petition and that I am familiar with the information it contains therein, and that the matters set forth therein are true and correct to the best of my knowledge, information, and belief.

District

Chief Keith Goldstein
North County Fire & Rescue Fire Protection

Subscribed and sworn to before me, a Notary Public in and for the State of Missouri, this
13 day of November, 2025.



My Commission expires: 6/9/28

Sarah Jurgens
Notary Public