

For the International Municipal Lawyer's Association - IMLA's 5 things to know for January 16th

1. In California, an appellate court handed the city of Modesto a victory in its ongoing litigation against Dow Chemicals over the pollutants formerly used by dry cleaners that have damaged groundwater in communities around the country. The court remanded the case for trial under conditions favorable to the city. Unfortunately, the court also sided with the chemical company on a claim to reinstate an award of punitive damages.

<http://www.modbee.com/news/article194608129.html>

2. What's going on in Ontario, Canada? As the US Attorney General rants about marijuana, the Canadian government will be switching to government operated marijuana retail stores operated by the LCBO. IMLA's past president Mary Ellen Bench recently noted that she doesn't see many areas of conflict between the provincial measure and her city's regulations. But, she notes that funding issues could affect the city as it will be required to increase police responsibilities.

<http://www.lawtimesnews.com/author/shannon-kari/government-run-pot-stores-coming-15179/>

3. Back in the US, the conflicts that exist between counties and cities lifted its ugly head in Illinois recently, when a judge threw out hundreds of outstanding warrants issued to people for not appearing for municipal code enforcement cases. The judge noted the backlog on the court's docket and the costs of booking and housing inmates at the county jail as reasons for the action. For the cities, the lack of transparency was striking as the judge gave the cities no prior notice of the intended action nor any opportunity to voice their concerns.

<http://www.news-gazette.com/news/local/2018-01-15/judge-quashed-thousands-warrants.html>

4. Sometimes the city attorney will be asked a question that requires a very difficult answer. That was the case recently in Summerville, SC where the issue of the city's support of a charity campaign arose. The attorney advised, as we noted on this podcast recently, that in SC a government entity cannot use public money to support a private purpose under the state's constitution. Giving free access to a charity to public property violates that principle. Each state may be different and there are solutions, but the debate in Summerville repeats the debate that arises everywhere.

http://www.thesummervillenews.com/index.php?option=com_content&view=article&id=8873:attorney-says-its-illegal-to-use-city-dollars-on-charity-group&catid=1

5. If you haven't listened already, go to iTunes, SoundCloud or IMLA's website to listen to Municast's first interview with Lisa Soronen and Amanda Kellar discussing cases of interest to local government at the Supreme Court this term. Also make sure you go to

our website to register for our very topical webinar on sexual harassment #MeToo coming January 22.

IMLA offers support to local governments and training programs for local officials on important legal issues. Not a member? Contact us. Sign up at www.imla.org . Have a great day and make it an inspirational one.