

	City of Lee’s Summit Law Department Memorandum	
	To:	Community & Economic Development Committee
	From:	David Bushek, Chief Counsel of Economic Development & Planning
	Date:	February 6, 2024
	Re:	Publication Notices for 2024 & 2025

Executive Summary: The City has started publishing all notices that require newspaper publication, including all public hearing notices for zoning agenda items, in a newspaper that is a “daily newspaper” as defined in the Missouri Statutes. The Lee’s Summit Tribune is not a “daily newspaper” as defined by state statute, so publishing notices in the Tribune will no longer be legally valid. The change is necessitated by a specific statute that applies to cities with greater than 100,000 population. The City can continue to also publish notices in the Tribune, but that would be extra notice beyond what is required by statute at additional cost.

This memorandum is to explain some changes that City staff has implemented regarding publication notices. These changes apply to the entire City and all legal notices that the City needs to publish from this point forward for all public hearings, including all zoning hearings. All City departments have been notified.

Legal notice requirements for cities with 100,000+ population – Section 493.070 of the Missouri Statutes provide that all cities with a population of 100,000 or more must publish all public notices, and advertisements which are directed by any court or required by law to be published, in a “daily newspaper.” Section 493.090 further reiterates that no public notice required by law to be published in a newspaper in cities of 100,000 or more shall be valid unless it is published in a “daily newspaper.” Under Section 493.045, a “daily newspaper” is one that publishes:

- (1) every day or
- (2) every day except Sundays and holidays or
- (3) any five days of every week (unless a holiday intervenes, then four days of said week).

This applies to all published notices for the City for all public hearings and all other matters where a public notice is required by any state law.

Lee's Summit Tribune – The Tribune is not a daily newspaper, as it only publishes on Saturdays. The Lee's Summit Tribune received a court order on December 21, 2023 which verifies that the Tribune is generally qualified under state law to publish legal notices. The order does state that the Tribune is a “daily newspaper,” and specifically states that the Tribune is only published on Saturdays.

The Pulse – The Pulse Legal Publications covers all of Jackson County, including Lee's Summit, and is an eligible “daily newspaper” for Lee's Summit to publish legal notices. The primary function of this newspaper is to publish legal notices. The Law Department has subscribed to The Pulse to monitor notices. The Pulse needs to receive notices by 3:00pm two days prior to the date of publication.

Kansas City Star – The KC Star is a daily newspaper and can publish Lee's Summit notices. However, the Star's rates are more expensive than other newspapers. In situations where the City needs another newspaper to publish a notice, the Kansas City Star is an option. Section 493.040 provides that the City is obligated to seek “the most advantageous terms that can be obtained” for publication notices, so staff is required by statute to seek the most advantageous pricing.

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