

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
MISSOURI

KCD KC Disposal LLC v. City of Independence, MO, et al.

KCD KC Disposal · No. No. 24-00611-CV-W-BP · Decided February 23, 2026

SUMMARY

The United States District Court for the Western District of Missouri entered judgment for the City of Independence on the plaintiff’s Dormant Commerce Clause claim concerning the City’s certificate-of-need requirement for trash haulers. The court concluded that the ordinance did not discriminate against interstate commerce and that any incidental burden was not clearly excessive in relation to the City’s local interests. The court dismissed the plaintiff’s Missouri administrative-review claim without prejudice after considering whether to continue exercising supplemental jurisdiction.

CASE DETAILS

COURT	United States District Court for the Western District of Missouri
WRITING FOR THE COURT	Beth Phillips
JURISDICTION	United States District Court for the Western District of Missouri
DECIDED	February 23, 2026
DOCKET	No. 24-00611-CV-W-BP
DISPOSITION	other
PROCEDURAL POSTURE	After partial dismissal and partial summary judgment, the court held a bench trial on the remaining dormant Commerce Clause claim and state-law judicial-review claim.
STANDARD OF REVIEW	Dormant Commerce Clause review applied the facial, purpose, and effects discrimination framework, followed by Pike balancing for nondiscriminatory burdens. Review under Mo. Rev. Stat. § 536.150.1 would permit consideration and reweighing of evidence to determine whether the municipal decision was unconstitutional, unlawful, unreasonable, arbitrary, capricious, or an abuse of discretion; the court declined supplemental jurisdiction rather than conducting that review.
PRECEDENTIAL VALUE	Unknown; federal district court findings of fact, conclusions of law, and judgment.

PARTIES

KCD KC Disposal LLC v. City of Independence, Missouri, Mayor of Independence, City Council Members of Independence

TOPICS

dormant commerce clause

judicial review of agency action

administrative law

municipal law

commercial litigation

PRACTICE AREAS

constitutional law

municipal law

administrative law

commercial litigation

federalism

QUESTIONS PRESENTED

1. Whether the City's Certificate of Need requirements and related limits on trash haulers discriminated against or imposed an unconstitutional burden on interstate commerce under the dormant Commerce Clause.
2. Whether the federal court should exercise supplemental jurisdiction over KCD's Missouri Administrative Procedures Act claim seeking review of the City's denial as arbitrary, capricious, unlawful, or an abuse of discretion.

HOLDINGS

1. The ordinance did not discriminate against interstate commerce on its face, in its purpose, or through its effects, and any incidental burden on interstate commerce was not clearly excessive in relation to the City's legitimate local benefits. The City therefore prevailed on Count II.
2. The court declined to exercise supplemental jurisdiction over Count IV and dismissed it without prejudice.

KEY QUOTATIONS

"The burden on interstate commerce is not established simply by demonstrating a business (such as Plaintiff) is either located outside Missouri or intends to transport the City's trash outside the state." (II.A)

"The Court declines to exercise supplemental jurisdiction over Count IV to conduct this inquiry." (II.B)

FACTUAL BACKGROUND

Independence requires private waste haulers to obtain a Certificate of Need under Article 5, Chapter 19 of the City Code. KCD KC Disposal applied for a Certificate on May 15, 2024, and its application otherwise met the City's requirements, but the City Council denied it based primarily on the existing number of licensed trash trucks and the City's service-capacity guideline. The City adopted Ordinance No. 19596 after denying the application, limiting the number of Certificates based on population, but that ordinance was not in effect when the Council considered KCD's application.

PROCEDURAL HISTORY

KCD KC Disposal challenged the City of Independence's denial of its application for a Certificate of Need to operate as a trash hauler. The court previously dismissed the procedural due process and equal protection portions of Count III and granted summary judgment to the City on the Sherman Act and substantive due process claims. Counts II and IV remained for a January 28, 2026 bench trial; the court entered judgment for the City on Count II and dismissed Count IV without prejudice.

DISPOSITION

other

CASES CITED

- Schaffer v. Beringer, 842 F.3d 585, 596 (8th Cir. 2016)
- South Dakota Farm Bureau, Inc. v. Hazeltine, 340 F.3d 583, 592-93 (8th Cir. 2003)
- Department of Revenue of Kentucky v. Davis, 553 U.S. 328, 337-39, 353 (2008)
- National Pork Producers Council v. Ross, 598 U.S. 356, 369, 392-94, 396, 398-99 (2023)
- United Haulers Ass’n, Inc. v. Oneida-Herkimer Solid Waste Mgmt. Auth., 550 U.S. 330, 335-38, 346 (2007)
- IESI AR Corp. v. Northwest Arkansas Regional Solid Waste Management District, 433 F.3d 600, 604, 606 (8th Cir. 2006)
- LSP Transmission Holdings, LLC v. Sieben, 954 F.3d 1018, 1026-27, 1031 (8th Cir. 2020)
- SDDS, Inc. v. State of South Dakota, 47 F.3d 263, 267 (8th Cir. 1995)
- CTS Corp. v. Dynamics Corp. of America, 481 U.S. 69, 87 (1987)
- Buck v. Kuykendall, 267 U.S. 307, 312-13 (1925)
- Truesdell v. Friedlander, 80 F.4th 762, 777-78 (6th Cir. 2023)
- Yamaha Motor Corp., U.S.A. v. Jim’s Motorcycle, Inc., 401 F.3d 560 (4th Cir. 2005)
- Colon Health Centers of America, LLC v. Hazel, 813 F.3d 145, 155-57 (4th Cir. 2016)
- Kleenwell Biohazard Waste & General Ecology Consultants, Inc. v. Nelson, 48 F.3d 391, 398-401 (9th Cir. 1995)
- Pharmaceutical Care Management Association v. Rowe, 429 F.3d 294, 313 (1st Cir. 2005)
- National Association of Optometrists & Opticians v. Harris, 682 F.3d 1144, 1155-56 (9th Cir. 2012)
- Exxon Corp. v. Governor of Maryland, 437 U.S. 117, 121, 127 (1978)
- Jones v. Gale, 470 F.3d 1261, 1269 (8th Cir. 2006)
- Baude v. Heath, 538 F.3d 608, 612 (7th Cir. 2008)
- Kleinsmith v. Shurtleff, 571 F.3d 1033, 1043-44 (10th Cir. 2009)
- U & I Sanitation v. City of Columbus, 205 F.3d 1063, 1070-71 (8th Cir. 2000)