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ZONING - MAINE

Town of Madawaska v. Cayer

Supreme Judicial Court of Maine - November 4, 2014 - A.3d - 2014 ME 121

Property owners filed a special motion to dismiss town's amended complaint alleging zoning violations pursuant to the anti-SLAPP (Strategic Lawsuit Against Public Participation) statute. The Superior Court denied motion. Owners appealed.

The Supreme Judicial Court of Maine held that town's zoning enforcement action against property owners for a violation of shoreland zoning ordinance was not an appropriate occasion for application of the anti-SLAPP statute.

Nothing in the anti-SLAPP statute or its history expressed or implied that it would protect property owners from the town's efforts to enforce an ordinance limiting the number of trailers that they were permitted to maintain on their land.