

Bond Case Briefs

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ZONING & LAND USE - MAINE

Town of Glenburn v. Pinkham

Supreme Judicial Court of Maine - October 30, 2018 - A.3d - 2018 WL 5557163 - 2018 ME 145

Town filed complaint against property owner for land use violations of ordinances relating to plumbing and wastewater disposal.

The District Court entered judgment for town following trial, and imposed civil penalty in amount of \$23,900. Property owner appealed.

The Supreme Judicial Court held that:

- Order allowing property owner's neighbor to testify telephonically did not violate property owner's right to due process;
- Testimony of town's code enforcement officer referencing two out-of-court statements made by neighbor was not hearsay;
- Any error in admission of officer's testimony was harmless; and
- In calculating civil penalty for land use violations, trial court was required to make finding that town had issued owner order to stop or provided owner some notice of violations.