

Bond Case Briefs

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NUISANCE - GEORGIA

Wright v. City of Greensboro

Court of Appeals of Georgia - June 21, 2019 - S.E.2d - 2019 WL 2559481

Co-owners and/or residents of property brought action against city alleging city's negligence in maintaining sewer line that transversed property created a continuing nuisance that damaged property and created a serious health hazard, and as relief, sought money damages, injunctive relief, attorney fees, and litigation costs.

The trial court granted city's motion to dismiss money damages claim, and co-owners and/or residents appealed.

The Court of Appeals held that:

- The ante litem statute applied to continuing nuisance claims based on sewage overflows onto the subject property;
- Co-owners and/or residents were required to comply with the ante litem notice statute, and provide city with the specific amount of monetary damages being sought; and
- Anti litem notice given city failed to substantially comply with statute requiring notice to "include the specific amount of monetary damages being sought."