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Ex Parte City of Fairhope Planning Commission and City of Fairhope

Supreme Court of Alabama - October 16, 2026 - So.3d - 2026 WL 3091519

Property developer brought action against city and its planning commission, seeking money damages due to the alleged negligence of commission and city employees in denying developer's applications to develop two townhome apartment complexes.

The Circuit Court denied motion by commission and city for summary judgment. City and commission petitioned for writ of mandamus.

The Supreme Court held that:

- Commission members had volunteer immunity under the Volunteer Service Act;
- City planning director had substantive immunity;
- City attorney had substantive immunity; and
- Mayor had substantive immunity.

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