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MUNICIPAL ORDINANCE - CONNECTICUT

Mangiafico v. Town of Farmington

Supreme Court of Connecticut - April 16, 2019 - A.3d - 331 Conn. 404 - 2019 WL 1591526

Property owner, who was subject to series of enforcement actions under municipal blight ordinance, brought action against town and related defendants, including seeking declaratory and injunctive relief regarding claim that designation of his property as blighted, assessment of daily punitive fines, and imposition of municipal blight liens constituted unconstitutional taking of property in violation of Fourteenth Amendment and § 1983.

The Superior Court granted defendants' motion to dismiss § 1983 claims for lack of subject matter jurisdiction and subsequently rendered summary judgment for defendants on remaining counts. Property owner appealed. The Appellate Court affirmed. Property owner sought certification to appeal, which was granted in part.

The Supreme Court held that:

- Property owner was not required to exhaust administrative remedies prior to filing § 1983 action, overruling *Pet v. Dept. of Health Services*, 207 Conn. 346, 542 A.2d 672; *Laurel Park, Inc. v. Pac*, 194 Conn. 677, 485 A.2d 1272; and abrogating *Flanagan v. Commission on Human Rights & Opportunities*, 54 Conn. App. 89, 733 A.2d 881; and
- Defendants failed to preserve for appellate review claim for alternative ground of affirmance based on ripeness defense.