

Bond Case Briefs

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CONSTITUTIONAL LAW - MASSACHUSETTS

Fitzmaurice v. City of Quincy

Supreme Judicial Court of Massachusetts, Norfolk - August 20, 2026 - N.E.3d - 2026 WL 2435594

Taxpayers brought action against city and mayor in his official capacity, seeking declaratory judgment and injunctive relief to prevent installation of two ten-foot-tall statues of Catholic saints on facade of new public safety building at taxpayer expense, alleging that expenditure of public funds on and display of statues violated the Massachusetts Declaration of Rights.

The Superior Court Department denied city's motion to dismiss for lack of standing and granted taxpayers' motion for preliminary injunction. City filed application for direct appellate review, which was granted.

The Supreme Judicial Court held that:

- Taxpayers had standing under the "ten-taxpayer statute" to bring challenge;
- Taxpayers demonstrated likelihood of success on the merits;
- City lacked any First Amendment free exercise claim; and
- Public interest weighed strongly in favor of taxpayers.