

§4482. Review of significant municipal land use decision

This section governs the process of filing complaints in Superior Court to challenge a significant municipal land use decision or the failure to make such a decision. [PL 2015, c. 459, §1 (NEW).]

1. Review of significant municipal land use decision. A complaint may be filed either in the general docket of the Superior Court for the county in which the municipality is located or directly in a docket designated by the Supreme Judicial Court for business matters. Any complaint filed in the general docket of the Superior Court for the county in which the municipality is located must be transferred upon request of any party to the proceeding to a docket designated by the Supreme Judicial Court for business matters.

[PL 2015, c. 459, §1 (NEW).]

2. Filing of record. The defendant municipality shall file a complete record for review, as described in the Maine Rules of Civil Procedure, Rule 80B, as agreed upon by the parties within 35 days of the commencement of the action, unless the court enlarges the time for cause. The plaintiff shall reimburse the municipality for the cost of producing the record.

[PL 2015, c. 459, §1 (NEW).]

3. Final decision. A party may not file an appeal of a significant municipal land use decision under this section until the decision is a final decision pursuant to section 2691, if the decision is by a board of appeals, or pursuant to section 4482-B, if the decision is by a municipal administrative review board other than a board of appeals.

[PL 2017, c. 241, §4 (NEW).]

SECTION HISTORY

PL 2015, c. 459, §1 (NEW). PL 2017, c. 241, §4 (AMD).

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