

Stop Work Order Overturned in Landmark Development Construction Dispute

Amundsen Davis successfully represented a developer in a dispute over a municipal stop work order that halted a multi-use development/construction project. A year after project approval, the municipality claimed construction had not begun within the required timeframe and issued a stop work order. The developer had completed various site preparation activities, including soil testing, clearing, and excavation. After the local adjustment board upheld the order, the developer challenged the decision in court. Both the trial court and the appellate court found that the work qualified as construction under the applicable code. The courts held that the stop work order was not legally authorized and reversed the board's decision.

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