

CHAPTER 37
NON-CONFORMING USES

Section 1. Nonconforming Uses of Land.

The nonconforming use of land (where no principal building is involved) existing on the effective date of this Ordinance may be continued for a period of not more than five (5) years thereafter, provided that no such nonconforming use of land shall in any way be expanded or extended either in the same or adjoining property. If such nonconforming use of land or any portion thereof is discontinued or changed, any future use of such land shall be in conformity with the provisions of this Ordinance.

Section 2. Nonconforming Buildings.

The lawful use of a building existing at the effective date of this Ordinance may be continued although such use does not conform to the provisions thereof. If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same or of a more restricted classification. Whenever a nonconforming use has been changed to a more restricted use or to a conforming use, such use shall not be changed thereafter to a less restricted use. The nonconforming use of a building may be extended throughout those parts of a building which were manifestly arranged or designed for such use on the effective date of this Ordinance.

2. Nonconforming Use Created by Changes in Ordinance: Whenever the use of a building becomes a nonconforming use through a change in the Zoning Ordinance or district boundaries, such use may be continued as provided in the preceding paragraph.
3. Discontinuance of Nonconforming Building and Uses: Any building or portion thereof used in whole or in part for nonconforming uses, which hereafter becomes and remains vacant for a continuous period of six months shall not again be used except in conformity with the regulations of the district in which such building or land is situated.
4. Damaged Nonconforming Buildings: Any building or portion thereof used in whole or in part for nonconforming uses which has been damaged by fire, explosions, act of God or a public enemy to the extent of more than fifty (50) per-cent of the fair market value of the building immediately prior to damage, shall not be restored except in conformity with the regulations in this Ordinance. If a building is damaged by less than fifty (50) percent of the fair market value, it may be repaired or reconstructed and used as before the time of damage, provided that a permit for such repairs or reconstruction is issued within twelve (12) months of the date of such damage.