

CHAPTER 162.00 - NONCONFORMING USES

- 162.01 Specifications. The lawful use of a building or premises, existing at the time of the effective date of these regulations, may be continued although such use does not conform to all the provisions thereof, except as hereinafter provided.
- 162.02 A nonconforming use may be extended throughout a building provided no structural alterations are made therein, except those required by law.
- 162.03 A nonconforming use may be changed to another nonconforming use of the same or greater restrictions, provided no structural changes are made in the building. Whenever a nonconforming use has been changed to a conforming use or to a use permitted in a District of greater restrictions, it shall not thereafter be changed to a nonconforming use of a less restricted District.
- 162.04 No building shall be erected upon any premises devoted to a nonconforming use, except in conformance with these regulations.
- 162.05 The Board may authorize, by written permit, in a residentially-zoned District for a period of not more than one (1) year from the date of such permit, a temporary building for commercial or industrial use incidental to the residential construction and development of said District.
- 162.06 Nothing herein contained shall require any change in the plans, construction or designated use of a building for which a building permit has been heretofore issued, and the construction of which has been diligently prosecuted within ninety (90) days of the date of such permit, and which entire building shall be completed according to such plans filed within two (2) years from the effective date of these regulations.
- 162.07 In the event that a nonconforming use of any building or premises is discontinued for a period of one (1) year, the use of the same shall thereafter conform to the uses permitted in the District in which it is located if the building is adaptable to a permitted use.
- 162.08 When a building containing a nonconforming use is damaged by fire, explosion, act of God or the public enemy to the extent of more than fifty (50) per cent of its assessed value it shall not be restored except in conformity with the regulations of the District within which it is located.
- 162.09 These provisions apply in the same manner to a use which may become a nonconforming use due to a later amendment to these regulations.