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### **ARTICLE III. NONCONFORMING USES AND STRUCTURES**

#### **Sec. 30-298. Continuation.**

Any structure or use lawfully existing upon the effective date of the ordinance from which this chapter is derived may be continued at the size and in manner of operation existing upon such date as hereinafter specified.

(Code 2004, § 807.03(subd. 1(1)); Ord. No. 143, § 7(1), 3-12-2013)

#### **Sec. 30-299. Unsafe condition of structures.**

Nothing in this chapter shall prevent the placing of a structure in safe condition when said structure is declared unsafe by the building official.

(Code 2004, § 807.03(subd. 1(3)); Ord. No. 143, § 7(3), 3-12-2013)

#### **Sec. 30-300. No reversion to nonconforming use.**

When any lawful nonconforming use of any structure or land in any district has been changed to a conforming use, it shall not thereafter be changed to any nonconforming use.

(Code 2004, § 807.03(subd. 1(4)); Ord. No. 143, § 7(4), 3-12-2013)

#### **Sec. 30-301. Damage to nonconforming structures.**

Whenever a nonconforming structure shall have been damaged by fire, flood, explosion, earthquake, war, riot or act of God, it may be reconstructed and used as before if it is reconstructed within 12 months after such calamity unless the damage to the structure is 50 percent or more of its fair market value (as estimated by the building official), in which case, the reconstruction shall be for a use in accordance with the provisions of this chapter.

(Code 2004, § 807.03(subd. 1(5)); Ord. No. 143, § 7(5), 3-12-2013)

#### **Sec. 30-302. Discontinuance of nonconforming use.**

Whenever a lawful, nonconforming use of a building or structure or land is discontinued for a period of one year, any future uses of said building or structure or land shall be in conformity with the provisions of this chapter.

(Code 2004, § 807.03(subd. 1(6)); Ord. No. 143, § 7(6), 3-12-2013)

#### **Sec. 30-303. Normal maintenance permitted; changes to nonconforming use.**

(a) Normal maintenance of a building or other structure containing or related to a nonconforming use is permitted, including necessary non-structural repairs and incidental alterations which do not extend or intensify the nonconforming use.

(b) A lawful nonconforming use may be changed only to a use of the same or more restricted classification.

(Code 2004, § 807.03(subd. 1(8)); Ord. No. 143, § 7(8), (9), 3-12-2013)

**Sec. 30-304. Alterations to structures.**

Alterations may be made to a structure containing nonconforming residential units when they will improve the livability thereof, provided they will not increase the number of dwelling units or extend the existing bulk of structure.

(Code 2004, § 807.03(subd. 1(10)); Ord. No. 143, § 7(10), 3-12-2013)

**Secs. 30-305—30-326. Reserved.**