

does not increase the extent of nonconformity. For purposes of this section, "maintenance or minor repair" shall mean:

1. Repairs that are necessary to maintain and to correct any damage or deterioration to the structural soundness or interior appearance of a building or structure without expanding or altering the building or structure;
2. Maintenance of land areas to protect against health and environmental hazards and promote the safety of surrounding land uses; and
3. Repairs that are required to remedy unsafe conditions that cause a threat to public safety.

## **8.2 NONCONFORMING STRUCTURES**

Where a lawful structure exists at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yards or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

### **A. Enlargement, Alteration, or Movement**

1. No such structure may be enlarged or altered in a way that increases its nonconformity.
2. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

### **B. Damage or Destruction**

1. If a nonconforming structure is damaged or destroyed by any means to an extent greater than fifty percent (50%) of its replacement cost at the time of damage or destruction, then such structure shall not be reestablished unless it is made to conform to the requirements of this Ordinance.
2. Where a nonconforming building is damaged by less than fifty percent (50%) of its replacement cost at the time of damage, it may be repaired or restored, provided any such repair or restoration is started within twelve (12) months and is completed within eighteen (18) months from the date of partial destruction.
3. Reconstruction costs shall be prepared by the applicant and submitted to the Chief Building Official for review. The cost of land or any factors other than the cost of the structure are excluded in the determination of cost of restoration for any building or activity devoted to a nonconforming use.

## **8.3 NONCONFORMING USES OF STRUCTURES AND LAND**

### **A. Nonconforming Use of Structure**

If a lawful use of a structure, or of structure and premises in combination, exists at the effective date of adoption or amendment of this Ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions: