

ARTICLE 14-12 NON- CONFORMING USES

14-12-1 Regulations

14-12-2 Record of Non-Conformance

SECTION 14-12-1 REGULATIONS

A. The lawful use of land existing at the time of the passage of the Ordinance, although such does not conform to the provision hereof for said land, may be continued, but if such non-conforming use is discontinued for a period of six (6) consecutive months, any future use of said land shall be in conformity with the provisions of this Ordinance.

B. the lawful use of a building existing at the time of the passage of this Ordinance may be continued, although such use does not conform with the provisions hereof for such building and such use may be continued provided no structural alterations, except those required by law or ordinance or permitted under this Ordinance are made.

C. Whenever the use of a building becomes non-conforming through a change in the Zoning Ordinance or district boundaries, such use may be continued.

D. In the event that a non-conforming use of a building is discontinued for a period of six (6) months, any future use of said building or premises shall be in conformity with the provisions of this ordinance, excepting for those matters set forth in "G" of this section.

not E. No existing building designed, arranged, or intended for or devoted to a use permitted under the regulations of this Ordinance for the district in which such building or premises is located shall be enlarged, extended, reconstructed, or structurally altered unless such building and such enlargement, extension, reconstruction and structural alterations, and further use hereof conform in every respect with the regulations specified by this Ordinance for such districts in which said building is located.

F. Nothing in this article shall be interpreted as authorization for or approval of the continuance of the use of a building or premises in violation of zoning regulations in effect at the time of the effective date of this Ordinance.

that G. Any legal non-conforming building or structure or one or more of a group of non-conforming buildings or structures which has been or may be damaged by fire, explosion, act of God or act of the public enemy , may be reconstructed and used as before such event occurred, if reconstruction is started within twelve months of such event causing damage to such building or structure, provided the restored building or structure covers no greater area or has no greater cubic

content and has equal or greater, front, side and rear yards.

SECTION 14-12-2 RECORD OF NON-CONFORMANCE

The Zoning Administrator and/or enforcement officer shall survey and make a complete record of all cases of non-conformance, and maintain such record thereafter, reviewing each case annually, or as often as the Council may prescribe. Such record shall include the name and address of owner and occupant, if other than the owner, legal description of the property, and classification and description of the non-conformance. The Zoning Administrator and/ or the Enforcement Officer shall inform the owner of such property by certified mail as to the classification and nature of the non-conformity and the regulations applicable to its continuance, whereupon copies of the record shall be approved by the Council and filed in the office of the Town Clerk and the Pinal County Recorder's Office, such record shall constitute prima facie evidence of the number, character and extent of non-conformance existing on the effective date of this Ordinance or any subsequent amendment thereto.