

**ORDINANCE NO. 20-13**

**AN ORDINANCE AMENDING SECTION 4-3(a)(7) & (8) OF THE NEW HOPE CITY CODE RELATED TO NONCONFORMING BUILDINGS, STRUCTURES AND USES**

**THE CITY COUNCIL OF THE CITY OF NEW HOPE ORDAINS:**

**Section 1.** Section 4-3(a)(7) and Section 4-3(a)(8) *Nonconforming buildings, structures and uses* is hereby amended to repeal the stricken text and add the underlined text as follows:

(7) Partial destruction. If at any time a nonconforming building, structure or use shall be destroyed to the extent of more than 50 percent of its fair market value, said value to be determined by the city assessor, ~~then without further action by the council, the building and the land on which such building was located or maintained shall, from and after the date of said destruction, be subject to all the regulations specified by these zoning regulations for the district in which such land and buildings are located it may be reestablished to its prior size and form, but not expanded, if the property owner applies for a building permit within 180 days of the damage event. If no building permit is applied for within the specified time period, then, without further action by the council, the building and the land on which such building was located or maintained shall, from and after the date of said destruction, be subject to all the regulations specified by this ordinance for the district in which such land and building are located.~~ Any building which is damaged to an extent of less than 50 percent of its value may be restored to its former extent provided reconstruction is completed within 12 months of said damage. Estimate of the extent of the damage or destruction shall be made by the building official.

(8) Discontinuance. Whenever a lawful nonconforming use of a structure or land is discontinued for a period of ~~six months~~ 12 months, any future use of said structure or land shall be made to conform with the provisions of this Code.

**Section 2.** Effective Date. This ordinance shall be effective upon passage and publication.

APPROVED by the New Hope City Council this 23rd day of November, 2020.

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Kathi Hemken, Mayor

ATTEST:

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Valerie Leone, City Clerk