

ORDINANCE NO. 2021 - _____

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF HARRISON.

Article 6, Section 6.4 of the City of Harrison Zoning Ordinance is hereby added as follows:

6.4 GENERAL RULES FOR NONCONFORMING USES AND STRUCTURES

- a. A nonconforming use or structure is that which is not specifically designated in a given zoning district as a principal use, accessory use or special use but was lawfully existing immediately prior to the time this Ordinance or applicable amendments become effective.
- b. A nonconforming use or structure can be made conforming only by:
 1. Ordinance amendment.
 2. Changing the use or structure to that as listed as principal, accessory or special use as designated in the district concerned as provided by this Ordinance.
 3. Variance, provided that only the terms of this Ordinance such as lot size, lot dimension, distance from lot lines or height restrictions are involved. (Dimensional variance, not use variance.)
- c. A nonconforming use or structure may not be enlarged, extended, increased or moved in any district in which this use is not designated as a principal, accessory or special use.
- d. If the operation of a nonconforming use or structure ceases for any reason for a period of more than two (2) years, the subsequent use of the land or structure shall be treated using the regulations specified in this Ordinance for a principal use, accessory use or a special use in the district in which the land or use or structure is located. In the event that a nonconforming use or structure has been terminated due to action by any governmental agency or if the use is of a seasonal nature and has ceased to operate for a period of less than a total of six (6) months in a 24-month period the use shall not thereafter be used except in conformity with the regulations of the district in which it is located.

- e. A nonconforming use or structure may revert to another nonconforming use or structure providing that in the opinion of the Zoning Board of Appeals the new use is of a nature that is no more nonconforming than the original use.
- f. Any nonconforming use or structure may be materially altered or repaired to bring it to a safe condition provided that the cubic content of such use or structure is not enlarged.
- g. Change of ownership of a nonconforming use or structure does not remove the nonconforming status nor does it change any time limits imposed by this Ordinance.
- h. If any parcel of land has located on it, a nonconforming use or structure, no additional structure shall be erected, placed or otherwise located on such parcel except in compliance with the various provisions of this Ordinance.
- i. In the event that a nonconforming use or structure has been accidentally destroyed or damaged to an extent of more than fifty percent (50%) of its replacement cost at the time of damage or destructions, such us or structure shall thereafter conform to the regulations for the district in which it is located.

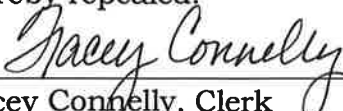
Passed by the City of Harrison on 7/19/21, at its regular meeting with 4 council members in attendance, 4 voting aye, 0 nay.
 Adopted by the City of Harrison this 19 day of July, 2021.

Signed:  Mayor.
 Stacy Stocking

I hereby certify that the foregoing was duly adopted by the City of Harrison, Michigan, at its regular meeting on the 19 of July, 2021, that of 6 members of the City Council, 4 were in attendance and 4 voted for the adoption of the Ordinance. I further certify that the above and foregoing ordinance is recorded in Ordinances for the City of Harrison.

Effective Date August 27, 2021

This Ordinance shall take effect thirty (30) days following date of publication as required by law. All Ordinances or part Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.



Tracey Connelly, Clerk