

CHAPTER 4
NONCONFORMING BUILDINGS AND USES

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Section 22-4-1 _____ MAINTENANCE PERMITTED. A nonconforming building or structure may be maintained if such use was lawfully existing at the time of the effective date of this ordinance.

Section 22-4-2 _____ REPAIRS AND ALTERATIONS. Repairs and structural alterations may be made to a nonconforming building or to a building housing a nonconforming use so long as such repairs or alterations do not change or enlarge the nonconforming use. A nonconforming building or a building housing a nonconforming use may be enlarged with the approval of the Land Use Appeal Authority after recommendation of the Building Official to accommodate satisfaction of Uniform Building Code requirements and/or life safety improvements.

Section 22-4-4 _____ ALTERATION WHERE PARKING INSUFFICIENT. A building or structure lacking sufficient automobile parking space in connection therewith as required by this Title may be altered provided additional automobile parking space is provided to meet the requirements of this Title for such alteration.

Section 22-4-5 _____ RESTORATION OF DAMAGED BUILDINGS. A nonconforming building or structure or a building or structure occupied by a nonconforming use which is damaged or destroyed by fire, flood, wind, earthquake, avalanche, or other calamity or act of God or the public enemy may be restored and the occupancy or use of such building, structure, or part thereof, which existed at the time of such damage or destruction may be continued or resumed, provided that such restoration is started within a period of one, (1), year and is diligently prosecuted to completion.

Section 22-4-6 _____ ONE YEAR VACANCY. A building or structure or portion thereof occupied by a nonconforming use, which is, or hereafter becomes, vacant and remains unoccupied by a nonconforming use for a continuous period of one, (1), year, except for dwellings, shall not thereafter be occupied except by a use which conforms to the use regulations of the zone in which it is located.

Section 22-4-7 _____ OCCUPATION WITHIN ONE YEAR. A vacant building or structure may be occupied by a use for which the building or structure was designed or intended if so occupied within a period of one, (1), year after the use became nonconforming.

Section 22-4-8 _____ CHANGE OF USE. The nonconforming use of a building or structure may not be changed except to a conforming use; but where such change is made, the use shall not thereafter be changed back to a nonconforming use.

Section 22-4-9 _____ EXPANSION OF USE PERMITTED. A nonconforming use may be extended to include the entire floor area of the existing building in which it is conducted at the time the use became nonconforming.

Section 22-4-10 _____ NONCONFORMING USE OF LAND. The nonconforming use of land, existing at the time this Title became effective, may be continued, provided that no such nonconforming use of land shall in any way be expanded or extended either on the same or adjoining property, and provided that if such nonconforming use of land, or portion thereof, is abandoned or changed for a period of one, (1), year or more, and future use of such land shall be in conformity with the provisions of this Title.

Section 22-4-12 _____ NONCONFORMING RESTAURANTS AND PRIVATE LOCKER CLUBS. Existing restaurants or nonprofit locker clubs which were nonconforming as of July 1, 1969, may upon application be granted a conditional use permit for a State Store subject to the Revised Ordinances of the Town of Alta.