

## ARTICLE 5---REGULATIONS GOVERNING NON-CONFORMING USES

### 5.01 Intent

Within the districts established by this Ordinance or amendments that may later be adopted, there exists lots, uses of land and structures which were lawful before this Ordinance was passed or amended, and such may be continued under certain conditions although such use does not conform with the provisions of this Ordinance.

### 5.02 Repair and Maintenance

On any building devoted to a non-conforming use, work may be done in any period of twelve consecutive months on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, to an extent not to exceed seventy-five (75) per cent of the current replacement value of the building, provided that the cubic content of the building as it existed at the time of the passage or amendment of this Ordinance shall not be increased. Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring, to a safe condition, of any building or part thereof.

### 5.03 Reconstruction of Non-conforming Buildings

Should any building devoted to a non-conforming use be damaged by any means it may be reconstructed provided that the cubic content of the building as it existed at the time of the passage or amendment of this Ordinance shall not be increased.

### 5.04 Abandonment

Whenever a non-conforming use of land or a non-conforming use of a building and premises in combination is discontinued for a period of six (6) consecutive months it shall constitute abandonment, and shall not thereafter be used except in conformance with the regulations of the district in which it is located.

### 5.05 Extension of Uses

Extension of any non-conforming use of land or throughout a building, or addition to any nonconforming building, or the extension of any non-conforming use may be granted by the Board of Appeals on written application filed with the Township Clerk. Said Board may hold a public hearing upon such application. If it shall appear that the proposed extension shall not be in accord with Article 2, then such application shall be denied.

### 5.06 Conditional Uses Not Authorized--Not Non-conforming Uses

Any use for which a conditional use authorization is granted by the Planning Commission as provided for in this Ordinance shall not be deemed in this case a non-conforming use, but shall without further action be deemed a conforming use in such district.