

# VILLAGE OF ELK RAPIDS

## ADOPTED ORDINANCE #489

AN ORDINANCE FOR THE EXERCISE OF MUNICIPAL ZONING AND FOR THE HEALTH, SAFETY AND WELFARE OF THE PERSONS AND PROPERTY IN THE VILLAGE OF ELK RAPIDS.

AMEND VILLAGE OF ELK RAPIDS ZONING CODE, SEC. 706.E., REPAIR, RESTORATION AND RECONSTRUCTION, OF DAMAGED NON-CONFORMING STRUCTURES, as follows:

- E. RECONSTRUCTION, REPAIR, OR RESTORATION OF DAMAGED NON-CONFORMING STRUCTURES.
1. RECONSTRUCTION OF DAMAGED NON-CONFORMING STRUCTURES: Nothing in this Ordinance shall prevent the reconstruction and continued use of any non-conforming structure damaged by fire, collapse, explosion, acts of God or act of the public enemy, upon prior application to and permission granted by the Zoning Board of Appeals. Permission shall be granted if the Zoning Board of Appeals finds that the reconstruction is limited to the original footprint of the structure, that the continued use is substantially the same as the previous nonconforming use, and that the continued use will not be detrimental to the health, safety and welfare of the public or surrounding property owners.
  2. REPAIR OR RESTORATION OF NON-CONFORMING STRUCTURES: Nothing in this Ordinance shall prevent the repair or restoration of a non-conforming structure or part of it, upon prior application to and approval by the Planning and Zoning Administrator, provided that such repair or restoration does not change the use of said structure or part of it.
  3. A Zoning Compliance Permit is required for the reconstruction, repair, or restoration cited in §706.E.1. and §706.E.2., above.

I, CAROLINE KENNEDY, ASSISTANT VILLAGE MANAGER/CLERK, DO HEREBY CERTIFY THAT THE ABOVE ORDINANCE #489 WAS DULY ADOPTED AT THE REGULAR COUNCIL MEETING HELD ON SEPTEMBER 4 2018.

Copies of the full ordinance are available for viewing at the village office and the village website [www.elkrapids.org](http://www.elkrapids.org)

Caroline Kennedy  
Asst. Village Manager/Clerk