

§ 490-23 Restoration.

- A. If any nonconforming structure is more than partially destroyed by fire, flood, earthquake, wind or other natural occurrence, then said structure can only be rebuilt in conformance with this chapter, except where the rebuilding can meet all of the following:
[Amended 7-26-2017 by Ord. No. 2017-19]
 - (1) Where the structure contained a permitted use at time of destruction, and will continue to do so after it is rebuilt, or where the structure is a nonpermitted one- or two-family dwelling;
 - (2) Where the structure would not require site plan approval pursuant to this chapter; and
 - (3) Where the structure will be rebuilt on or within the existing building footprint.
- B. Destruction to the extent that rebuilding, repair or restoration requires removal or demolition of any remaining portions of the damaged part of the structure such that the only major components of the original structure utilized in such building, repair or restoration are the foundation or exterior walls shall be *prima facie* evidence that the structure has been more than partially destroyed.
- C. Nothing in this chapter shall prevent the strengthening or restoring of any portion of a structure which has been declared unsafe by the Construction Official.