

without such sign or device, provided that such signs shall contain only the name, symbol or emblem of said place, and provided that no such sign shall be larger than two (2) square feet in area.

C. Advertising Signs

1. Off-premises business advertising signs as defined in Article 2, subject to the following restrictions:

(a) No such sign shall be placed nearer than two hundred (200) feet to any residence, or nearer than twenty-five (25) feet to any street right-of-way line or nearer than fifty (50) feet to any other property line.

(b) No such sign shall be placed closer than three hundred (300) feet to any intersection on a dual highway or closer than one hundred (100) feet to the intersection of any other streets, except that such signs may be placed on a building at such intersections in such a manner as not to cause any greater obstruction of vision than that caused by the building itself.

(c) No such sign shall have an area larger than four hundred (400) square feet.

(d) No such sign shall obstruct the view from state highways or county primary roads to areas or structures of scenic or historic interest.

(e) No more than two (2) such off-premises signs shall be permitted for a single business or commercial industrial use.

2. Commercial advertising signs as defined in Article 2 subject to the restrictions contained above in sub-paragraphs 1-a through 1-e inclusive, and the restrictions contained in Articles 3 and 4.

D. Temporary Signs

1. Temporary signs for political campaigns, or directing patrons, members or audience to exhibits, shows, or events, subject to the following requirements:

(a) No such sign shall exceed 12 square feet in area.

(b) Signs shall be removed within five days after the date of the election, exhibit, show or event; otherwise, the Town may cause such sign to be removed with the cost of said removal to be borne by the person or organization responsible for posting the temporary signs.

- (c) No such sign shall be posted earlier than six (6) weeks before the occurrence of the event to which it relates.
2. Temporary directional signs relating to a land subdivision or to a construction project, intended to direct or point the way at street intersections toward such subdivision or project, subject to the following requirements:
- (a) No such directional sign shall be larger than two (2) square feet in area.
 - (b) Such directional signs shall be removed within five (5) days after the completion of such subdivision or project.

ARTICLE 8: NONCONFORMITIES

800 Continuation

Except as otherwise provided in this Article and in Section 702, the lawful use of any structure or land existing at the effective date of this Ordinance may be continued although such use does not conform with the provisions of this Ordinance, and becomes a nonconforming use as defined in Article 2.

801 Alteration or Extension

- A. Structural alterations of a building or structure, or the use of a structure, building, parcel, lot, or tract of land which does not conform to the provisions of this Ordinance shall be allowed only if the building or structure to be altered or the structure, building, parcel, lot, or tract of land to be used is in conformance with the requirements of the zoning district in which it is located.
- B. Upon application, the Board of Appeals may approve the structural alteration of a building or structure, or the extension of use of a structure, building, parcel, lot or tract of land which is not in conformance with the provisions of the Ordinance provided.
 - 1. The alteration or extension of structure or use shall be restricted to an additional area not exceeding thirty-five (35) percent of those existing buildings, structures, parcels, lots, or tracts of land devoted to the nonconforming structure or use.

2. The alteration or extension shall not be in violation of the setback, yard and height regulations in the district in which the structure or use is located.

802 Restoration

- A. Structures damaged by fire or other causes to the extent of more seventy-five (75) percent of the market value of the structure shall not be repaired, reconstructed or used for the same nonconforming use without the approval of the Board of Appeals granted as a special exception pursuant to Article 10.
- B. Structures damaged to the extent of seventy-five (75) percent or less of the market value may be reconstructed, repaired or used for the same nonconforming use without action by the Board of Appeals.
- C. Any such reconstruction or repair shall be subject to the following provisions:
 1. The reconstructed structure shall not exceed the height, area, or volume of the damaged structure.
 2. Reconstruction shall begin within one (1) year from the date of damage and shall be carried on without interruption.

803 Abandonment

Whenever a nonconforming use has been discontinued for a period of one (1) year, such use shall not thereafter be re-established and any future use shall be in conformity with the provisions of this Ordinance.

804 Changes

- A. Once changed to a conforming use, no structure or land shall be permitted to revert to a nonconforming use.
- B. The Board of Appeals may grant, as a special exception pursuant to Article 10, permission to change a nonconforming use to another nonconforming use if the applicant shows that the proposed change will be less objectionable in external effects than the existing nonconforming use in regard to:
 1. Traffic generation and congestion, including truck, passenger car, and pedestrian traffic; and
 2. Noise, smoke, dust, fumes, vapors, gases, heat, odor, glare or vibration; and
 3. Storage and waste disposal; and

4. Appearance.

805 Nonconforming Use Certificate

Upon application by the owner or agent of any nonconforming use, structure or property, the Zoning Administrator shall issue a certificate recording the fact of such nonconforming use, structure or property. Such certificate may be used as evidence in asserting rights pursuant to this Article.

ARTICLE 9: ADMINISTRATION

900 Zoning Administrator -- Duties and Powers

The provisions of this Ordinance shall be administered and enforced by the Zoning Administrator who shall be appointed by the Mayor and Town Council. It shall be the duty of the Zoning Administrator and he shall have the power to:

- A. Receive and examine all applications for zoning permits.
- B. Issue permits only where there is compliance with the provisions of this Ordinance and with other Town Ordinances. Permits for use requiring a special exception or variance shall be issued only upon order of the Board of Appeals.
- C. Receive applications for special exceptions, promptly submit these applications to the Planning Commission for their comments, and then forward the applications along with Planning Commission's recommendation to the Board of Appeals for action thereon.
- D. Following refusal of a permit, to receive applications for interpretation, appeals, and variances and promptly forward these applications to the Board of Appeals for action thereon.
- E. Conduct inspections and surveys to determine compliance or non-compliance with the terms of this Ordinance.
- F. Issue stop, cease and desist orders and orders in writing for correction of all conditions found to be in violation with the provisions of this Ordinance. Such written orders shall be served personally or by certified mail upon persons, firms or corporations deemed by the Zoning Administrator to be violating the terms of this Ordinance. It shall be unlawful for any person to violate any such order lawfully issued by the Zoning Administrator, and any person violating any such order shall be guilty of a violation of this Ordinance.