

RVC 1-08

A local law to amend the Code of the Village of Rockville Centre, in relation to resumption of abandoned nonconforming uses.

Section one. Section 340-3(C) of the Code of the Village of Rockville Centre is hereby amended, to read as follows:

"C. No nonconforming use, if changed to a conforming use, shall thereafter be changed back to a nonconforming use. Whenever a nonconforming use has been discontinued for a period of six months, such nonconforming use shall not thereafter be resumed, and the future use shall be in conformity with the zone in which the property is located. In case a building devoted to a nonconforming use shall be more than 50% destroyed by fire or other cause, the same shall not be restored for a nonconforming use, and the use of the premises shall thereafter be in conformity with the zone in which the property is located, unless the Board of Appeals shall grant special consent for such restoration for the nonconforming use."

Section two. If any clause, sentence, paragraph, or section of this local law shall be held invalid by any court of competent jurisdiction, or the application of this local law to any person or set of circumstances shall be held invalid, such invalidity or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or operation of this local law directly involved in the controversy in which the judgment shall have been rendered. To further this end, the provisions of this local law are hereby declared to be severable.

Section three. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.