

ORDINANCE NO. 2009-05

AMENDING SUBSECTION B OF SECTION 95-142
OF THE CODE OF ORDINANCES OF THE BOROUGH
OF EAST GREENVILLE TO ALLOW FOR A CHANGE,
BY SPECIAL EXCEPTION ADDRESSED TO THE
JURISDICTION OF THE ZONING HEARING BOARD,
FROM ONE NONCONFORMING USE OF PROPERTY
TO ANOTHER.

BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Council of the Borough of East Greenville, County of Montgomery, Pennsylvania, as follows:

Section 1.

Subsection B of Section 95-142 of the Code of Ordinances of the Borough of East Greenville is hereby amended to read as follows:

B. Change of use.

(1) A nonconforming use may be changed to another nonconforming use, which is equally appropriate or more appropriate to the district in which the property is located, and is no more detrimental than the existing nonconforming use, by special exception granted by the Zoning Hearing Board in accordance with the provisions of Article XVII of this chapter.

(2) A nonconforming use shall not be changed to another nonconforming use, which is less appropriate to the district in which the property is located and/or is more detrimental than the existing nonconforming use.

(3) If a nonconforming use is changed to a conforming use, then the previous nonconforming status shall become null and void in accordance with § 95-142C below.

Section 2.

This ordinance shall take effect immediately.

ENACTED AND ORDAINED by the said Borough this 3rd day of August, 2009.

ATTEST:

Nenad Kostic
Secretary

Douglas Bricker
President of Council

APPROVED this 3rd day of August, 2009.

[Signature]
Mayor