

LOCAL LAW NO. 4 OF 2025

A LOCAL LAW AMENDING CHAPTER 250, ARTICLE IV, SECTION 250-10 ENTITLED, “NONCONFORMING BUILDINGS, STRUCTURES AND USES,” OF THE TOWN CODE OF THE TOWN OF MOUNT HOPE

Be it enacted by the Town of Mount Hope in the County of Orange, as follows:

Section 1. Title

This local law shall be referred to as, “A Local law Amending Chapter 250, Article IV, Section 250-10 Entitled, “Nonconforming Buildings, Structures and Uses,” of the Town Code of the Town of Mount Hope.

Section 2. Authority

This local law is enacted pursuant to Section 10 of the New York Municipal Home Rule Law.

Section 3. Legislative Intent and Purpose

It is the intent and purpose of this local law to amend the provisions of the Town of Mount Hope Zoning Code to provide the Town of Mount Hope Planning Board with the authority to grant alterations, extensions, replacements or rebuilding of nonconforming uses, structures, or buildings.

Section 4. Amend Section 250-10 of the Town Code of the Town of Mount Hope

Section 250-10 is hereby amended by adding a Subsection C, to read as follows:

C. Extensions, alterations, replacing or rebuilding nonconforming uses or buildings. Notwithstanding any inconsistent provision of this Section, any nonconforming use may be extended, and any nonconforming building, or any building in which is contained a nonconforming use, may be altered, extended, replaced or rebuilt, regardless of the extent thereof, provided application for the same and plans thereof are submitted to the Town of Mount Hope Planning Board in accordance with the provisions of Article XI of this Chapter. The Town of Mount Hope Planning Board may approve the application upon such conditions, limitations and safeguards as it deems best for the public interest, excepting, however, that any nonconforming building or use shall not be restored for other than a conforming use after damage for any reason exceeding 75% of its market value, unless the Planning Board approves such restoration to the nonconforming use; if the restoration of a building whose damage does not exceed 75% of its market value is not completed within a one-year period, the nonconforming use of such building, or the nonconformity of the building itself, shall be deemed to have been discontinued.

Section 5. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 6. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.