

**ORDINANCE NO. 873**

**AN ORDINANCE OF THE CITY OF BAYPORT, WASHINGTON COUNTY, MINNESOTA  
AMENDING APPENDIX – B ZONING OF THE BAYPORT CITY CODE**

**THE CITY COUNCIL OF THE CITY OF BAYPORT DOES HEREBY ORDAIN:**

**Section 1.** Appendix B – Zoning, Section 402 – Nonconforming uses, buildings and structures, Sec. 402.08 - Restoration of nonconforming buildings or structures is hereby amended by deleting the same in its entirety and substituting the following therefore:

*402.08. Repair, Replacement, Restoration or Improvement of nonconforming buildings or structures.*  
A nonconforming building or structure which is damaged or destroyed by fire, flood, wind, earthquake or other peril to the extent of greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, may be repaired, replaced, restored, or improved, but not expanded, and the occupancy or use of such building, structure, or part thereof, which existed at the time of such partial or complete damage or destruction, may be continued or resumed, provided that the repair, replacement, restoration or improvement (but not expansion) is memorialized through the application for a building permit within 180 days of the partial or complete damage or destruction. The repair, replacement, restoration or improvement must be diligently prosecuted to completion. A nonconforming building or structure which is partially damaged, to an extent of less than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, may be repaired, replaced, restored, or improved, regardless of the time limitation imposed on the building permit application described in this section. Any attempted repair, replacement, restoration or improvement of a nonconforming building or structure that is not in compliance with this section shall conform to all of the provisions of this ordinance.

**Section 2.** This ordinance shall be in full force and effect from and after its passage and publication according to law. Passed by the Bayport City Council this 5<sup>th</sup> day of August, 2019.

Attest:

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Adam Bell, City Administrator

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Susan St. Ores, Mayor