

**CITY OF CORDOVA, ALASKA
ORDINANCE 1155**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA,
AMENDING CORDOVA MUNICIPAL CODE SECTION 18.35.090 CONDITIONS FOR
CONTINUATION.**

WHEREAS, the City of Cordova (“City”) passed ordinance 1148 which amended Chapter 18.52 Nonconforming Uses in December of 2016; and

WHEREAS, Section 18.35.090 – Conditions for Continuation of the Avalanche District references Sections 18.52.010 and Section 18.52.010 (A) of the 18.52 Nonconforming Uses chapter; and

WHEREAS, Sections 18.52.010 and Section 18.52.010 (A) in the 18.52 Nonconformities chapter no longer exist as referenced; and

WHEREAS, the changes being implemented will correct the reference in the Avalanche chapter; and

WHEREAS, the City Council finds that it is in the City’s best interest to alter section 18.35.090 as well as make minor grammatical changes to other sections.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cordova, that:

Section 1. Cordova Municipal Code section 18.35.090 is amended to read as follows:

18.35.090 - Conditions for continuation.

Any building or portion thereof in existence prior to the effective date of this chapter which is specifically designed or arranged to be lawfully occupied or used in a manner not conforming to the provisions of this title may thereafter be so occupied and used, subject to the limitations set forth in ~~Section 18.52.010, except that Section 18.52.010(A) of this code shall apply only when the nonconforming use is discontinued for a period of three hundred sixty-five days or more.~~ **Chapter 18.52 - Nonconformities. Except that discontinued shall mean that a nonconforming use has ceased, and has not substantially resumed, for a period of three hundred sixty-five days or more, regardless of intent.** The term "in existence" shall include, for the purposes of this section only, any building under actual permitted construction at such date; provided, that such building can be completed within one year thereof. In addition, should an owner-occupied dwelling become vacant after the date of the ordinance codified in this chapter, that dwelling may be offered for lease or rent if all other requirements are met. Notwithstanding this provision, any required notice provisions contained in Section 18.35.090 **070** shall be issued.

Section 2. A minor, non-substantive grammatical error is also approved in section 18.35.090

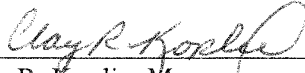
Section 3. This ordinance shall be effective thirty (30) days after its passage and publication. This ordinance shall be enacted in accordance with Section 2.13 of the Charter of the City of Cordova, Alaska, and published within ten (10) days after its passage.

1st reading: August 2, 2017

2nd reading and public hearing: September 6, 2017


PASSED AND APPROVED THIS 6th DAY OF SEPTEMBER, 2017.





Clay R. Koplín, Mayor

ATTEST:



Susan Bourgeois, CMC, City Clerk