

TWENTY-YEAR REGISTERED USE

§ 18-1-101. Definitions.

(117) “Twenty-Year Registered Use” means a use not allowed as permitted, conditional, or special exception use under the law in effect for the zone in which the use is located when the use commenced, and for which no enforcement action has been initiated within 20 years of the date the use commenced.

§ 18-15-101. Registration of nonconforming uses.

(e) Limitations

(1) No enforcement action under Title 17 to abate a use of property in violation of this Article shall be initiated 20 Years or more after the date the use commenced, if:

(i) The use is operated by the owner of the property and has been in existence continuously since first commenced; and

(ii) The property on which the use is located has been owned by the same owner since the use commenced.

(2) A use to which subsection (e) (1) applies shall be registered and classified by the Office of Planning and Zoning as a “Twenty-Year Registered Use”.

(3) A use to which subsection (e)(1) applies shall terminate when the use ceases operation for 12 consecutive months or when the scope of the use is so significantly reduced during the 12-month period as to change its nature or character, or upon a transfer of ownership from the owner described in subsection (e)(i)(ii), unless that transfer of ownership is to a child of the owner who continues to operate the use without cessation.