

ORDINANCE NO.: \_\_\_\_\_-2009

OF

\_\_\_\_\_, 2009

**AN ORDINANCE TO AMEND CHAPTER 300-67, ENTITLED "DISCONTINUANCE"  
OF THE CODE OF ORDINANCES OF THE CITY OF NEWBURGH  
TO LENGTHEN THE TIME PERIOD TO DISCONTINUE A NON-CONFORMING USE  
FROM 6 MONTHS TO 30 MONTHS**

**PREAMBLE:** The City of Newburgh adopted a Zoning Ordinance in 2000 to promote orderly and beneficial development of residential, business, and manufacturing areas within the city and to protect the public health, safety, convenience and general welfare of its residents. The Zoning Ordinance adopted in 2000 provided, in part, that a non-conforming use which has been discontinued for six months shall not thereafter be re-established. The City Council has become aware that such time frame has imposed a hardship upon several property owners within the city, and in certain cases has burdened the ability of such property owners to maintain the economic viability of such properties and to continue to make maximum beneficial use thereof. The City Council therefore wishes to enlarge the time after which such non-conforming use shall not be re-established to assist such property owners to sustain and maintain such properties.

**NOW, THEREFORE, BE IT ORDAINED,** by the Council of the City of Newburgh, New York that Chapter 300 of the Code of Ordinances shall be amended as follows:

Section 1: § 300-67. Discontinuance.

Whenever a nonconforming use has been discontinued for a period of thirty [six] months, such use shall not thereafter be reestablished, and any future use shall be in conformity with the provisions of this chapter.

Section 2. This ordinance shall take effect immediately.

Underlining \_\_\_\_\_ denotes additions

Brackets [ ] denote deletions