

CITY AND VILLAGE ZONING ACT (EXCERPT)
Act 207 of 1921

***** 125.583a THIS SECTION IS REPEALED BY ACT 110 OF 2006 EFFECTIVE JULY 1, 2006 *****

125.583a Nonconforming uses and structures.

Sec. 3a. (1) The lawful use of land or a structure exactly as the land or structure existed at the time of the enactment of the ordinance affecting that land or structure, may be continued, except as otherwise provided in this act, although that use or structure does not conform with the ordinance.

(2) The legislative body may provide by ordinance for the resumption, restoration, reconstruction, extension, or substitution of nonconforming uses or structures upon terms and conditions provided in the ordinance. In establishing terms for the resumption, restoration, reconstruction, extension, or substitution of nonconforming uses or structures, different classes of nonconforming use may be established in the ordinance with different regulations applicable to each class.

(3) In addition to the power granted in this section, a city or village may acquire by purchase, condemnation, or otherwise private property or an interest in private property for the removal of nonconforming uses and structures, except that the property shall not be used for public housing. The legislative body may provide that the cost and expense of acquiring private property be paid from general funds, or the cost and expense or a portion thereof be assessed to a special district. The elimination of nonconforming uses and structures in a zoned district as provided in this act is declared to be for a public purpose and for a public use. The legislative body may institute and prosecute proceedings for the condemnation of nonconforming uses and structures under the power of eminent domain in accordance with the provisions of a city or village charter relative to condemnation or in accordance with Act No. 149 of the Public Acts of 1911, as amended, being sections 213.21 to 213.41 of the Michigan Compiled Laws, or any other applicable statute.

History: Add. 1947, Act 272, Eff. Oct. 11, 1947;—CL 1948, 125.583a;—Am. 1978, Act 638, Eff. Mar. 1, 1979.