

COUNTY ZONING ACT (EXCERPT)
Act 183 of 1943

***** 125.216 THIS SECTION IS REPEALED BY ACT 110 OF 2006 EFFECTIVE JULY 1, 2006 *****

125.216 Nonconforming uses.

Sec. 16. (1) The lawful use of a building or structure and of land or a premise as existing and lawful at the time of enactment of a zoning ordinance, or in the case of an amendment of an ordinance, then at the time of the amendment, may be continued although that use does not conform with the provisions of the zoning ordinance or amendment.

(2) The county board of commissioners shall provide in a zoning ordinance for the completion, restoration, reconstruction, extension, or substitution of nonconforming uses upon reasonable terms set forth in the zoning ordinance. In establishing the terms for the completion, 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) A county may acquire, by purchase, condemnation, or otherwise private property or an interest in private property for the removal of nonconforming uses. The cost and expense, or a portion of the cost and expense, of acquiring the private property may be paid from general funds or assessed to a special district in accordance with the applicable statutory provisions relating to the creation and operation of special assessment districts for public improvements in counties. The elimination of nonconforming uses and structures in a zoning district is declared to be for a public purpose and for a public use. The county board of commissioners may institute and prosecute proceedings for condemnation of nonconforming uses and structures under the power of eminent domain 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: 1943, Act 183, Imd. Eff. Apr. 17, 1943;—CL 1948, 125.216;—Am. 1978, Act 640, Eff. Apr. 12, 1979.