

**AN ORDINANCE OF THE VERNAL CITY COUNCIL AMENDING SECTION 16.12 -  
NONCONFORMING BUILDINGS AND USES**

**WHEREAS**, Title 16 of the Vernal City Municipal Code governs land use regulations, including the continued use, maintenance, expansion, and abandonment of noncomplying buildings and nonconforming uses of land and structures; and

**WHEREAS**, the City has determined that certain provisions within Chapter 16.12 should be updated for internal consistency and to clarify standards; and

**WHEREAS**, the City Council and Planning Commission find that it is in the best interest of the community to provide fair and consistent standards for the continuation or discontinuation of nonconforming uses and structures, while ensuring compliance with current zoning regulations over time; and

**WHEREAS**, the Vernal City Council has reviewed the proposed changes during duly noticed public meetings and finds the amendments to be in the best interest of the community.

**NOW THEREFORE**, be it ordained by the Council of the City of Vernal, in the State of Utah as follows:

**SECTION 1. AMENDMENT** Section 16.12 Nonconforming Buildings and Uses of the Vernal Municipal Code is hereby *amended* as follows:

**Section 16.12.010 Noncomplying Buildings -- Maintenance, Repairs And Upkeep**

- A. A noncomplying building or structure may be maintained.
- B. Repairs and structural alterations may be made to a noncomplying building.
- C. A noncomplying building or structure which is involuntarily destroyed in whole or in part due to fire or other calamity may be restored and the occupancy or use of such building, structure or part thereof which existed at the time of such partial destruction may be continued or resumed; provided, that such restoration is started within a period of one (1) year and is diligently prosecuted to completion.  
(PZSC § 03-05-001)  
(Ord. 2005-07, Amended, 06/01/2005)

**Section 16.12.020 Noncomplying Buildings -- Additions, Enlargements And Moving**

- A. A building or structure noncomplying as to use regulations shall not be added to or enlarged, in any manner, unless such building or structure, including such additions and enlargements, is made to conform to all the regulations of the zone in which it is located.
- B. A building or structure noncomplying as to height, area or yard regulations shall not be added to or enlarged in any manner unless such addition and enlargement conforms to all the regulations of the zone in which it is located.

- C. A building or structure lacking sufficient automobile parking space as required by this title maybe altered or enlarged, provided additional parking space is supplied to meet the requirements of this title for such alteration or enlargement.
- D. No noncomplying building or structure shall be moved in whole or in part to any other location on the lot unless every portion of such building or structure is made to comply to all the regulations of the zone in which it is located.  
(PZSC § 03-05-002)  
(Ord. 2005-07, Amended, 06/01/2005)

**Section 16.12.030 Noncomplying Buildings -- Abandonment By Nonuse**

A noncomplying building or structure, or portion thereof, shall be deemed abandoned by nonuse during a continuous period of two (2) years ~~one (1) year~~. If a noncomplying building or structure, or portion thereof, has been or is abandoned, the same shall not thereafter be occupied or used except for a use which conforms to the use regulations of the zone in which it is located.  
(PZSC § 03-05-003)(Ord. 2005-07, Amended, 06/01/2005)

**Section 16.12.040 Noncomplying Use Of Buildings -- Continuance**

- A. The noncomplying use of a building or structure existing at the time the applicable zoning regulations became or become effective may be continued.
- B. A vacant noncomplying building or structure may be occupied by a use for which the building or structure was designed or intended if so occupied within a period of one (1) year after the building or structure became nonconforming.
- C. A nonconforming use may be extended to include the entire floor area of the existing building in which it was conducted at the time use became nonconforming.
- D. Except by permit of the Board of Adjustment as provided in Chapter 16.10 of this title, the nonconforming use of a building or structure may not be changed except to a conforming use;however, where such change is made to a conforming use, the use shall not thereafter be changed back to a nonconforming use.  
(PZSC § 03-05-004)  
(Ord. 2005-07, Amended, 06/01/2005)

**Section 16.12.050 Noncomplying Use Of Buildings -- Abandonment By Nonuse**

The noncomplying use of a building or structure, or portion thereof, shall be deemed abandoned by nonuse during a continuous period of two (2) years ~~one (1) year~~. If a nonconforming use of any such building or structure, or portion thereof, has been or is abandoned, the same shall not thereafter be occupied or used except for a use which conforms to the use regulations of the zone in which it is located.  
(PZSC § 03-05-005)  
(Ord. 2005-07, Amended, 06/01/2005)

**Section 16.12.060 Nonconforming Use Of Land -- Abandonment By Nonuse**

A nonconforming use of a tract of land, or portion thereof, may be continued. No such nonconforming use of land shall in any way be expanded or extended either on the same or any adjoining tract of land. A nonconforming use of land shall be deemed abandoned by nonuse for a period of ~~two (2) years~~ ~~one (1) year~~ after the use became nonconforming. If such nonconforming use of land has been or becomes abandoned, such land shall not thereafter be used or occupied except for a use which conforms to the user regulations of the zone in which the use is located. (PZSC § 03-05-006)

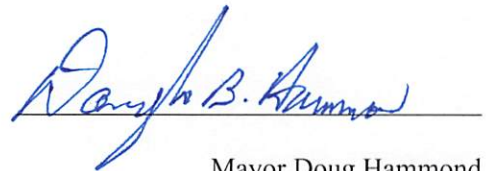
**Section 16.12.070 Nonconforming Use Compliance**

Any building, structure or use for which a valid building permit has been issued and actual construction was lawfully begun prior to the effective date of this title, or amendments to this title, may be completed and used in accordance with the plans, specifications and permit on which the building permit was granted. "Actual construction" is defined to be the actual placing of construction materials in their permanent position, fastened in a permanent manner, actual work in excavating a basement or the demolition or removal of an existing structure begun preparatory to rebuilding; provided, that in all cases, actual construction work shall be diligently carried on until the completion of the building or structure. (PZSC § 03-05-007)

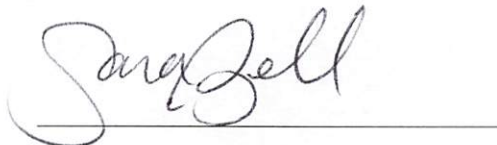
**Section 16.12.080 Signs Permitted With Nonconforming Use**

Signs permitted with nonconforming uses shall be in accordance with the provisions of Chapter 16.28, Sign Regulations, of this title. (PZSC § 03-05-008)

**PASSED AND ADOPTED** by the Vernal City Council this 18 day of June, 2025.

  
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Mayor Doug Hammond

ATTEST:

  
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Sara Bell, City Recorder

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