

Order 61-07/08

Given first reading 9/17/07

Public Hearing Amended & Passed 10/1/07 8-0 (Suslovic Out)

NICHOLAS M. MAVODONES (MAYOR)  
KEVIN J. DONOGHUE (1)  
DAVID A. MARSHALL (2)  
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CHERYL A. LEEMAN (4)

**CITY OF PORTLAND**  
IN THE CITY COUNCIL

JAMES I. COHEN (5)  
JAMES F. CLOUTIER (A/L)  
JILL C. DUSON (A/L)  
EDWARD J. SUSLOVIC (A/L)

**AMENDMENT TO PORTLAND CITY CODE**  
**CHAPTER 14, ARTICLE III, ZONING:**  
**DIVISION 23. Nonconforming Use and Nonconforming Buildings**  
**§ 14-385**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,  
MAINE IN THE CITY COUNCIL ASSEMBLED AS FOLLOWS:**

1. ***That Chapter 14 of the Land Use Code, §14-385 (Restoration or reconstruction within an existing footprint of damaged nonconforming building or premises), be amended as follows:***

**Sec. 14-385. Restoration or reconstruction within an existing footprint of damaged nonconforming building or premises.**

A nonconforming building, or building of nonconforming use, damaged by fire, explosion, flood, riot, act of the public enemy, accident of any kind, decay or otherwise may be restored or rebuilt only where:

(f) A nonconforming building located in the R-6 which is destroyed by fire, explosion, flood, riot, act of the enemy, or accident may be rebuilt under the small residential lot development provisions of the R-6 zone as if the lot were vacant as of January 1, 2005 and such reconstruction shall meet the setback requirements contained therein to the extent practicable; otherwise the building shall be reconstructed within the footprint of the previously existing building such that any nonconformity will not be enlarged.