

other structure containing a nonconforming use shall be moved, unless the result of any such move is to eliminate or reduce the nonconformity.

3. No nonconforming use of land, buildings, or other structures shall be changed to any use which is substantially different in nature or purpose from the existing nonconforming use, except to a use which is permitted in the district in which the land, building, or other structure is located, unless the Zoning Board of Appeals finds that the new use will have no greater injurious impact upon the surrounding area than the existing use.
4. No nonconforming use of land, buildings, or other structures which is changed to conform or to more nearly conform to this Local Law shall thereafter be changed to be less conforming.
5. No nonconforming use of land, buildings, or other structures which shall have been discontinued shall thereafter be resumed. In determining whether a nonconforming use has been discontinued, any one of the following items shall constitute *prima facie* evidence of discontinuance:
 - a. Any positive act indicating intent to discontinue;
 - b. Any conscious failure to take all necessary steps to resume the nonconforming use with reasonable dispatch in the circumstances;
 - c. Cessation of the nonconforming use of a lot and/or structure for twelve (12) consecutive months, or for a total of eighteen (18) months during any three (3) year period;
 - d. Substitution of a conforming use.
6. All nonconformities shall conform in all other respects to the requirements of the zoning districts in which they are located.
- ⁴⁸7. Nonconforming structures or structures containing nonconforming uses may be enlarged, extended, reconstructed, or altered by a maximum of twenty-five percent (25%) of the aggregate gross floor area of the structure sought to be enlarged as it existed on May 13, 1971, or up to the maximum lot coverage allowed in the zoning district in which the nonconforming structure is located, as provided in Appendix B, whichever is less. Such extension or enlargement of a nonconforming building or other structure must be by special permit from the Zoning Board of Appeals pursuant to Section 470, Special Permits, of this Local Law and subject to Site Plan approval from the Planning Board.
8. Signs of a size or type not permitted in the zoning district in which they are situated, or which are improperly located or illuminated, or nonconforming in any other way, shall be considered nonconforming structures under this Section, and shall be brought into conformity with this Local Law pursuant to Section 331(2)(h) of this Local Law.

⁴⁸ Section 391, paragraph 7 amended; Local Law #1 of the year 2005 on 04/14/05.