

### Section 46 - Reenactment and Repeal of Existing Zoning Ordinance

This Ordinance, in part, carries forward by reenactment some of the provisions of the Zoning Ordinance of the Town of Sparta adopted by the Town Board, September 4, 1964, as amended, and it is not the intention to repeal but rather to reenact and continue, in force, such existing provisions so that all rights and liabilities that have accrued hereunder are preserved and may be enforced. All provisions of the Zoning Ordinance of the Town of Sparta enacted in 1964, as amended, which are reenacted herein are hereby repealed. All suits at law or in equity and/or all prosecutions resulting from the violation of any Zoning Ordinance heretofore in effect, which are now pending in any of the courts of this State or of the United States, shall not be abated or abandoned by reason of the adoption of this Ordinance but shall be prosecuted to their finality the same as if this Ordinance had not been adopted; any and all violations of the existing Zoning Ordinance, prosecutions for which have not yet been instituted, may be hereafter filed and prosecuted; and nothing in this Chapter shall be construed as to abandon, abate, or dismiss any litigation or prosecution now pending, and/or which may heretofore have been instituted or prosecuted.

## ARTICLE XIV - AMENDMENTS AND CHANGES

### Section 47 - Motion to Amend

The Town Board may, on its own motion or upon recommendation of the Planning Board, or upon petition by any person within the zoning jurisdiction, after public notice and hearing, amend or repeal the regulations or the maps which are a part of this Chapter. No regulations or maps shall be amended, supplemented, changed, modified, or repealed until after a public hearing in relation thereto, at which time all parties in interest and citizens shall have an opportunity to be heard. A notice of such public hearing shall be given once a week for two (2) successive weeks in a newspaper of general circulation in the Town, said notice to be published the first time not less than fifteen (15) days prior to the date fixed for such public hearing. A notice of public hearing shall be posted on the property in question for the same period of time. The sign shall be posted in a conspicuous place on the premises, facing the main frontage street. The Zoning Enforcement Officer shall be responsible for the placement of such signs.

### Section 48 - Protest Against Amendment

In case of a protest against such a proposal, duly signed by the owners of 20 percent or more either of the area of the lots included in such proposed change or of those immediately adjacent thereto, either in the rear thereof or on either side thereof, extending one hundred (100) feet therefrom, or of those directly opposite thereto extending one hundred (100) feet from the street frontage of such opposite lots, such amendment shall not become effective except by favorable vote of three-fourths (3/4) of all the members of the Town Board.

Section 49 - Planning Board Action

Every proposed amendment or repeal to this Ordinance shall be referred to the Planning and Zoning Board for its recommendation and report provided that no proposal shall be considered by the Planning and Zoning Board within five (5) days from filing of the proposal with the Zoning Enforcement Officer. All petitions for a change in the zoning map shall include a legal description of the property involved and the names and addresses of current abutting property owners and shall be accompanied by a fee of twenty dollars (\$20) to cover cost of advertising as required by this Ordinance.