

Section 116-030 Permitted Use

1. Each dwelling unit in an Active Adult Community Development shall be occupied by:
 - a. Persons who are 55 years of age or older.
 - b. A spouse of an occupant who is 55 years of age or older.
 - c. An occupant pursuant to b. above who is survived his or her spouse.
 - d. An occupant pursuant to b. above whose spouse has entered into a long-term continuing care facility.

In c. and d. above, remaining spouses who remarry or cohabitate must meet all occupancy requirements.

2. One (1) child 21 years of age or older may reside with his or her parent(s).
3. In no event may a dwelling unit be occupied by more than three residents.
4. Nothing in this Section shall excuse compliance with the “housing for older person” requirements of 42 U.S.C. State Statute 3607 (including any amendments thereto after the effective date of this Chapter) and the regulations adopted thereunder. The burden of complying with said law and regulations shall be on the owner or user of the property affected by this Chapter.