

**CONTINGENT LIABILITY FROM ENFORCEMENT OF BUILDING BY-LAWS:
VALUE OF UNDAMAGED PORTION OF BUILDING – E34**

1. In consideration of the additional premium and subject to the terms, conditions and limitations of the Policy including endorsements thereon, in case of loss, destruction or damage by a peril insured against under the Policy, the insurance provided extends to include loss occasioned by the enforcement of any by-law, regulation, ordinance or law which
 - (a) regulates zoning or the demolition, repair or construction of damaged buildings or structures;
 - (b) is in force at the time of such loss, destruction or damage; and
 - (c) necessitates the demolition of any portion of the buildings or structures which has not suffered damage by a peril insured against under the Policy.

2. The Insurer shall not be liable under this endorsement for:
 - (a) any loss occasioned by the enforcement of any by-law, regulation, ordinance or law which
 - (i) regulates zoning or the demolition, repair or construction of damaged buildings or structures;
 - (ii) is in force at the time of loss, destruction or damage by a peril insured against under the Policy; and
 - (iii) prohibits the Insured from rebuilding on the same site or on an adjacent site or prohibits continuance of like occupancy;
 - (b) the cost of demolishing, or clearing the site of, any undamaged portion of the buildings or structures;
 - (c) any increase in the cost of repairing, replacing, constructing or reconstructing the buildings or structures occasioned by the enforcement of any by-law, regulation, ordinance or law which regulates zoning or the demolition, repair or construction of damaged buildings or structures and which is in force at the time of loss, destruction or damage by a peril insured against under the Policy;
 - (d) more than the amount insured under the Policy to which this endorsement is attached;
 - (e) any greater proportion of any loss than that which the amount insured under the Policy on the buildings or structures bears to the total amount of insurance on such buildings or structures, whether such insurance contains this endorsement or not.
 - (f) direct or indirect loss, damage, cost or expense, arising out of the clean-up, removal, containment, treatment, detoxification, decontamination, stabilization, neutralization or remediation resulting from any actual, alleged, potential or threatened spill, discharge, emission, dispersal, seepage, leakage, migration, release or escape of “pollutants”; or
 - (g) direct or indirect loss, damage, cost or expense, for any testing, monitoring, evaluating or assessing of an actual, alleged, potential or threatened spill, discharge, emission, dispersal, seepage, leakage, migration, release or escape of “pollutants”.

3. If the Policy insures two or more items, the foregoing shall apply separately to each item to which this endorsement applies.