

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE TO AMEND CHAPTER 115, ARTICLE XXI, SECTION 159.5B OF THE CODE OF SUSSEX COUNTY REGARDING ELECTRONIC MESSAGE DISPLAY ON OFF PREMISES SIGNS.

WHEREAS, Section 115-159.5B of the Code of Sussex County states that certain On-Premises signs may include Electronic Message Display capabilities; and

WHEREAS, the Code of Sussex County is silent as to whether Off-Premises signs may include Electronic Message Display capabilities; and

WHEREAS, Off-Premises signs may only be permitted by Special Use Exception approved by the Board of Adjustment in the C-1, CR-1, LI-1, LI-2 and HI-1 Zoning Districts and they are not permitted in the remaining zoning districts; and

WHEREAS, it is the desire of Sussex County Council to amend the Code of Sussex County to allow Off-Premises Signs to include Electronic Message Display capabilities if specifically applied for and approved with that capability by the Sussex County Board of Adjustment as part of an Off-Premises Sign Special Use Exception.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Chapter 115, Article XXI, Section 159.5B of the Code of Sussex County is hereby amended by adding the following addition subsection (5) immediately after subsection (4):

**115-159.5 Signs Permitted in C-1 General Commercial, CR-1 Commercial Residential, LI-1 Limited Industrial, LI-2 Light Industrial and HI-1 Heavy Industrial Districts.**

B. Off Premises signs, after obtaining a special use exception, pursuant to §115-80C and 115-83.6C, not exceeding 600 square feet total, and provided that:

...

(5) An off-premises sign may include an Electronic Message Display if specifically applied for and approved as part of a Special Use exception.

**SYNOPSIS:** This amendment would allow off-premises signs (generally "billboards") to have electronic message display capabilities, if applied for and approved by the Board of Adjustment as part of a special use exception. "Electronic message display" is a defined term in Section 115-157 of the Code, and includes LED signs and signs that can change mechanically.