

**ORDINANCE NO. 1953**

**AN ORDINANCE TO AMEND SECTION 115-160 OF THE CODE OF SUSSEX COUNTY WITH RESPECT TO ILLEGAL SIGNS**

**WHEREAS, the County has seen a proliferation of signs being placed along and adjacent to the roadways of Sussex County in violation of the current sign ordinance; and**

**WHEREAS, the present Code does not allow for an efficient way to remove said signs; and**

**WHEREAS, the County wishes to allow for a mechanism for the immediate removal of an illegal sign by its inspectors and constables.**

**NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:**

**Section 115-160 (I) is hereby amended by deleting the wording enclosed in brackets and deleting the wording indicated by underlining in Sections 1 and 2, as follows:**

**Section 1: In accordance with the implementation schedule contained in Section 2 hereof, [T]the Director shall remove or cause to be removed, at the owner's expense, any sign erected or maintained in conflict with these regulations [if the owner or lessee of either the site or sign fails to correct the violation within 30 days after receiving written notice of violation from the Director]. Removal of a sign by the Director or his designee shall not affect any legal proceeding instituted against the violator prior to removal of such sign.**

**Section [3]2: This Ordinance shall take effect immediately upon its adoption by majority vote of members of the County Council of Sussex County; provided, however, that enforcement of the ordinance shall be implemented over a period of 180 days, as follows:**

**A. During the first 30 days following enactment, violators and persons whose businesses are being advertised by the illegal signs will, to the extent the County is able to determine their current mailing addresses, receive a letter from the County, enclosing a copy of this ordinance and advising them of the penalties for placing or authorizing the placement of illegal signs within areas where the County has zoning jurisdiction. The public at large will be notified of the enactment of this ordinance by its placement on the County website and by a press release explaining the adoption of the ordinance and encouraging voluntary compliance with its terms and conditions;**

B. During the 150 days following the 30 day period described in Subsection A, illegal signs will be removed and retained for retrieval by violators and/or persons whose businesses are being advertised by such signs, but no removal fees will be levied. During the 150 day period, signs may be retrieved from the County Constable's Office by the payment of a retrieval fee of Fifteen Dollars (\$15.00) payable to Sussex County.

C. Beginning 180 days following enactment, the County will be free to dispose of all removed illegal signs and shall not be held liable for doing so. Sussex County will collect a removal fee of Twenty-Five Dollars (\$25.00) per sign from the owner of an illegal sign or from the owner of the real property from which an illegal sign has been removed, if the owner gave permission for the placement of the illegal sign or from the owner of the entity whose business or development is being promoted or advertised by the illegally placed sign.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 1953 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 26TH DAY OF FEBRUARY 2008.



ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL

