

ORDINANCE NO. _____

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

WHEREAS, Sections 159.4 and 159.5 of the Code of Sussex County state 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 specifically prohibit Electronic Message Display capabilities within Off-Premises Signs.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Chapter 115, Article XXI, Section 159.5.B of the Code of Sussex County is hereby amended by adding the following 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 Section 115-80C and 115-83.6C, not exceeding 600 square feet total, and provided that:

...

5. An off-premises sign shall not include an Electronic Message Display.

SYNOPSIS: This amendment confirms that off-premises signs (generally "billboards") shall not have electronic message display capabilities. "Electronic message display" is a defined term in Section 115-157 of the Code, and includes LED signs and signs that can change mechanically.