



ORDINANCE NO _____

AN ORDINANCE TO AMEND CHAPTER 185-30, SIGNS PROHIBITED IN ALL DISTRICTS, OF THE MUNICIPAL CODE OF THE TOWN OF DEWEY BEACH, DELAWARE TO ALLOW SIGNAGE CONSISTENT WITH CURRENT STANDARDS AND PRACTICE.

WHEREAS, the Town of Dewey Beach recognizes the importance of signage to Town businesses; and

WHEREAS, the Town of Dewey Beach acknowledges that digital signage is a significant part of the options available for signage; and

WHEREAS, the Commissioners of the Town of Dewey Beach wish to continue to ensure that signage does not present risks to public safety.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Commissioners of the Town of Dewey Beach, Sussex County, Delaware, in session met, as follows:

Section 1. Amend §185-30 of the Code of Ordinances as depicted by highlighted insertions, strikeouts and substitutions depicted below:

§185-30 Signs prohibited in all districts.

The following signs are prohibited in all districts:

A. Signs lighted in any manner which may constitute a traffic hazard or be a nuisance ~~to surrounding properties, including signs that provide moving spotlights that might distract pedestrians or motorists, revolving lights, animation, or blinking or moving lights.~~ **to surrounding properties, including signs that provide moving spotlights that might distract pedestrians or motorists, revolving lights, animation, or blinking or moving lights.**

B. Signs located and so illuminated as to provide a background of colored lights blending with traffic signal lights to the extent of confusing a motorist when viewed from a normal approaching position of a vehicle at a distance of 30 feet.

~~C. Signs that provide moving spotlights that might distract pedestrians or motorists, revolving lights, animation, or blinking or moving lights. However, digital signs that change message no more than four times per day, and time and temperature lights are permitted.~~

~~C.~~ **D.** Signs which produce noise, sounds or emit visible smoke, vapor, particles, or odor.

~~E.~~ **D.** Signs with intermittent lights resembling or seeming to resemble the flashing lights customarily associated with danger or such as are customarily used by police, fire, or ambulance vehicles or for navigation purposes.

~~F.~~ **E.** Signs attached to trees or utility poles.

GF. Signs attached to any vehicle, parked primarily for display purposes.

HG. Inflated objects larger than seven feet in any dimension. Temporary exceptions may be granted by the Town Commissioners on a case-by-case basis for a period not to exceed seven days, upon showing that they will not adversely affect the use or value of surrounding properties.

Section 2. If any provisions of this Ordinance shall be deemed or held to be invalid or unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not affect any other provision of this Ordinance which may be given effect without such invalid or unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 3. This Ordinance shall take effect immediately upon its passage by a majority vote of the Commissioners of the Town of Dewey Beach.

Adopted by at least a majority of the Commissioners of the Town of Dewey Beach on this -- day of ---, 2023.

SYNOPSIS

This Act clarifies section §185-30(A) of the code by clearly defining prohibited sign types that constitute a traffic hazard or nuisance to surrounding properties.

Mayor, William Stevens

Town Manager, Bill Zolper