

**TOWN OF GEORGETOWN
TOWN COUNCIL MEETING AGENDA**

Meeting Date: Wednesday, June 25, 2014
Location: Town Hall, 39 The Circle, Georgetown, DE
Time: 7:00 P.M. Regular Meeting

7:00 P.M. Regular Meeting

1. Pledge of Allegiance
2. Invocation
3. Adoption of Agenda
4. Approval of June 11, 2014 Town Council Minutes
5. 2nd Reading & Adoption of Ordinances
 - A. Ordinance #2014-5 Animal Grooming
 - B. Ordinance #2014-6 Signs
6. Public Comment
7. Adjournment

The agenda items as listed may not be considered in sequence. This agenda is subject to change to include additional items including executive sessions or the deletion of items including executive sessions, which arise at the time of the meeting. Persons with disabilities requiring special accommodations to attend this meeting should contact the Town Office in writing 72 hours in advance of the meeting, stating their needs in order to have them addressed under the requirements of the Americans with Disabilities Act (ADA).



ORDINANCE NO. 2014-5

**AN ORDINANCE TO AMEND THE CODE TO THE
TOWN OF GEORGETOWN, CHAPTER 230, ZONING**

THE TOWN COUNCIL OF THE TOWN OF GEORGETOWN IN COUNCIL MET AND
HEREBY ORDAINS:

Section 1. Chapter §230, Zoning, of the Code of the Town of Georgetown is hereby
amended as follows:

§230-5. Definitions.

**ANIMAL GROOMING- An establishment that bathes, clips, or combs domesticated
animals, such as dogs and cats, for the purpose of enhancing their aesthetic value or
health.**

Article XIII. UB2 Neighborhood Business District

§230-82. Permitted uses.

**R. Animal Grooming. Animal grooming facilities shall be entirely enclosed and air-
conditioned. Boarding of animals, outside runs or cages, offensive odors and excessive
noise shall be prohibited.**

Section 2. This Ordinance shall become effective following its adoption by a majority
vote of all members elected to the Town Council.

BE IT ENACTED by the Town Council of the Town of Georgetown, Delaware on the
_____ day of _____ A.D., 2014.

Bill West, Mayor

Chris Lecates, Secretary

1ST Reading: June 11, 2014
2nd Reading: June 25, 2014
Adoption: June 25, 2014



ORDINANCE NO. 2014-6

**AN ORDINANCE TO AMEND THE CODE TO THE
TOWN OF GEORGETOWN, CHAPTER 230, ZONING**

THE TOWN COUNCIL OF THE TOWN OF GEORGETOWN IN COUNCIL MET AND
HEREBY ORDAINS:

Section 1. Chapter §230, Zoning, of the Code of the Town of Georgetown is hereby
amended as follows:

Article XXII

Signs

§ 230-164. Regulations governing signs.

§ 230-164.1 Definitions.

§ 230-165. Signs permitted in UR1, UR2 and UR3 Districts.

§ 230-166. Signs permitted in MR1 and MR2 Districts.

§ 230-167. Signs permitted in UB1 Districts.

§ 230-168. Signs permitted in UB2 Districts.

§ 230-169. Signs permitted in UB3 Districts.

§ 230-170. Signs permitted in HC Districts.

§ 230-171. Signs permitted in LI1 Districts.

§ 230-172. Signs permitted in LI2 Districts.

§ 230-173. Signs permitted in HD Districts.

§ 230-174. Signs permitted in ED Districts.

§ 230-175. Prohibited signs.

§ 230-176. Signs permitted in all districts.

§ 230-177. Sign regulations for all districts.

§ 230-164. Regulations governing signs.

In all zoning districts, no sign may be erected or maintained other than signs of the character, size and construction expressly authorized by this article and other ordinances and regulations of the Town Council of Georgetown under authority of the Town Manager of Georgetown relating to the erection, alteration or maintenance of signs and similar devices.

§ 230-164.1 Definitions.

ADVERTISE - To advise, announce, apprise, command, give notice of, inform, make known, publish or call to the public attention by any means whatsoever.

ANIMATED SIGN - Any sign or part of a sign that changes physical position by any movement or rotation or that gives the visual impression of such movement.

AWNING OR CANOPY SIGN - A sign affixed to or integral with the surface of an awning or canopy, retractable or fixed shelter constructed of fabric, cloth, or plastic on a supporting framework that project from the exterior wall of a building.

BILLBOARD - For the purpose of this ordinance, a structure for the permanent display of off-premises advertising attached to the ground by means of poles, pylons or posts.

COMPLEX - A center or campus comprised of retail, wholesale, shopping center, business, commercial, institutional or mixed-use center with two or more principal structures located on one or more contiguous properties, under common management and operation, and is interconnected by parking areas, streets, sidewalks or other means.

DETACHED SIGN - A self-supporting sign resting on or supported by means of poles, standards or any other type of base on the ground. A detached sign may be double faced with equal sign area on both sides as permitted by the district or use regulations for the particular sign. Detached signs may include:

GROUND SIGN - A sign suspended or supported by one or more uprights or braces anchored to the ground.

MONUMENT SIGN - A freestanding sign that is affixed to a base that is equal to or wider than the sign itself. The height of the sign is measured from the finished grade to the top of the sign. Such signs shall be situated so as to have the longer dimension oriented horizontal, and to have the shorter dimension oriented vertical.

POST OR PYLON SIGN - A sign which is attached to the ground by means of one or two poles or a base which is narrower than the face of the sign.

ELECTRONIC MESSAGE BOARD SIGN - An electrically activated sign whose message content, either in whole or in part, may be changed by means of electronic programming. These signs shall include those displaying time, temperature, and messages of a public or commercial nature.

FLASHING SIGN - An illuminated sign on which the artificial or reflected light is not maintained stationary and constant in intensity and color. Any sign which revolves or moves, whether illuminated or not, shall be considered a "flashing sign."

INFLATABLE SIGN - A sign that is designed to be filled with air to form a three-dimensional shape which is designed to be anchored to the ground.

INSTITUTIONAL USE - For the purposes of this ordinance an institutional use shall be a facility operated by a federal, state or local government, public or private school, or college, church, fire company or EMS station, hospital or emergency care facility, senior and community centers.

INSTRUCTIONAL SIGN - A sign conveying instructions with respect to the premises on which it is maintained, such as "entrance," "exit," "no trespassing," "danger," "no parking," "loading only," and similar signs, the total sign area not to exceed eight square feet.

MARQUEE SIGN - A sign attached to or hung from a marquee. For the purpose of this section, a "marquee" is a covered structure projecting from and supported by the building with independent roof and drainage provisions and which is erected over a doorway or doorways as protection against the weather.

MURAL SIGN - A sign consisting of letters or symbols incorporated into or attached to a large mural or form of artwork presenting a commercial message or advertisement, painted on a surface, building, canopy, awning, wall or window. For sign area calculation purposes the area shall be considered to be the smallest rectangle or other geometric shape encompassing all of the letters or symbols.

NEON SIGN - A sign containing glass tube lighting in which a gas and phosphors are used in combination to create colored light and tubing is bent to form letters, symbols or other shapes.

OFF-PREMISE SIGN - A sign that directs attention to a business, commodity, service or entertainment not exclusively related to the premises where such sign is located or to which it is affixed.

ON-PREMISE SIGN - A sign directing attention to a business, commodity, service or entertainment conducted, sold or offered upon the same premises as those upon which the sign is maintained.

PERMANENT SIGN - A sign which has a permanent location on the ground or which is attached to a structure having a permanent location and which meets the structural requirements for signs as established in the Building Code. When individual letters are mounted directly on a building, square footage shall be determined by the space from the left-hand side of the first letter and ending on the right-hand side of the last letter multiplied by the height of the largest letter.

POLITICAL SIGN - A temporary sign utilized for the purpose of proposing or opposing the election of a candidate or ballot measure in connection with an official Town, school district, county, state or federal election or referendum.

PROJECTING SIGN - A sign attached to and projecting out from a building face or wall, generally at right angles to the building.

SANDWICH BOARD SIGN - A freestanding temporary sign, with no moving parts or lights, displayed outside a business during business hours.

SIGN - A structure, display or device, including but not limited to a flag, windblown display, or balloon, that is arranged, intended, designed or used as an advertisement, announcement, identification, description or direction.

SIGN AREA - The entire face of a sign including the advertising surface and any framing, trim, or molding, but not including the supporting structure.

TEMPORARY SIGN - A sign which is erected for a time limit not to exceed 30 consecutive days.

VIDEO BOARD - Any electronic sign with a transition frequency in excess of 8-1-8 and using multiple colors to depict images, photos, and flashes.

WALL SIGN - A sign attached to or painted on the exterior wall of a building. The total lettering on one facade of a building or structure shall constitute one wall sign.

WINDBLOWN DISPLAYS - Any temporary banner, flag, feather sign, pennants, balloon or commercial flag, whether or not conveying a message through the use of words, letters and/or symbols. For the purpose of this ordinance any windblown display shall be considered a temporary sign.

WINDOW SIGN - A sign that is physically applied to or attached to the exterior or interior of a window.

§ 230-165. Signs permitted in UR1, UR2 and UR3 Districts.

The following signs may be erected and maintained in UR1 Urban Residential District, UR2 Medium Residential District or UR3 Neighborhood Residential District.

- A. Signs advertising the sale or rental of the premises upon which they are erected, when erected by the owner or by a broker or other like person interested in the sale or rental of such premises, may be erected and maintained, provided that the size of any such sign is not in excess of six square feet and no more than two such signs are placed upon any property held in single and separate ownership, unless such property fronts upon more than one street, in which event no more than two such signs may be erected on such frontage. Such signs shall be removed within one week after the sale or rental.
- B. Signs advertising the sale or development of the premises upon which they are erected, when erected in connection with the development of the premises by a builder, contractor, developer or other like person interested therein, may be erected and maintained, with ~~Planning Commission~~ **Town Manager** approval, provided that the size of any such sign is not in excess of 20 square feet and no more than two such signs are placed upon any property held in single and separate ownership, unless such property fronts upon more than one street, in which event no more than two such signs may be erected on each such frontage.
- C. ~~Signs indicating the location and direction of premises available for or in process of development, but not erected on such premises, and having inscribed thereon the name of the owner, developer, builder or agent, may be erected and maintained, provided that the size of any such sign is not in excess of six square feet or four feet in length and no more than one such sign is erected on each 500 feet of street frontage.~~

- C. Signs bearing the words "Sold" or "Rented," or words of similar import, with the name of the person effecting the sale or rental may be erected and maintained, subject to the conditions specified in Subsection A above.
- D. Signs of ~~mechanics, painters and other artisans~~ **contractors or artisans providing a service to the parcel or residence** may be erected and maintained during the period such persons are performing work on the premises on which such signs are erected, provided that the size of any such sign is not in excess of six square feet and such signs are removed promptly upon completion of the work, and provided, further, that no more than one such sign may be erected or maintained by each **contractor** ~~mechanic, painter or artisan~~ on the premises on which such work is being performed.
- E. Signs advertising that furnishings or other equipment have been installed or placed on the premises may be erected and maintained on such premises, provided that the size of any such sign is not in excess of six square feet and any such sign is removed promptly upon occupation of the house as a residence.
- F. **Signs of a temporary nature as identified in Sections A through E above, shall be placed no closer than 10 ft. from the public right-of-way.**
- G. **Signs used for permanent advertising of a development or project at its entrance, provided that no more than one is located on either side of each entrance and the size of any such sign is not in excess of 30 square feet.**
- H. **Such signs shall be located no less than 10 feet from the public right-of-way.**
- I. **The Town of Georgetown Development Design Standards should be reviewed for sign design criteria.**

§ 230-166. Signs permitted in MR1 and MR2 Districts.

The following signs may be erected and maintained in MR1 Multifamily Residential District or MR2 Townhouse Residential District:

- A. Any sign permitted in UR1 Urban Residential District, UR2 Medium Residential District or UR3 Neighborhood Residential District.
- B. Signs used for **permanent** advertising **of** a development or project at its entrance, provided that no more than one is located on either side of each entrance and the size of any such sign is not in excess of 30 square feet.
- C. Such signs shall be located no less than 10 feet from the **public right-of-way.** ~~road frontage property line.~~
- D. **The Town of Georgetown Development Design Standards should be reviewed for sign design criteria.**

§ 230-167. Signs permitted in UB1 Districts.

The following signs may be erected and maintained in a UB1 Urban Business District:

- A. Any sign permitted in a UR1 Urban Residential District, UR2 Medium Residential District, UR3 Neighborhood Residential District, MR1 Multifamily Residential District or MR2 Townhouse Residential District.
- B. Signs advertising the maintenance and conduct of a business of the kind authorized for the district, or the sale, purchase, rental or use of commodities, articles or facilities in connection with or incidental to the business or of the premises on which the business is conducted, but no others.
- C. Total sign area of all signs shall not exceed 32 square feet, or measure more than 10 feet in length, **nor exceed 8 feet in height.**
- D. Signs may be located on a canopy, marquee, wall, **projecting** or ground **sign(s)**, but may not project from a building into the public right-of-way.
- E. Ground **or monument** signs shall have a minimum setback of 1/2 the distance from the public right-of-way line to the **as built** building line.
- F. No more than two signs are permitted per permitted use, only one of which may be a ground sign.
- G. Signs of **for** schools, colleges, churches, hospitals and other institutions of a similar nature, relating exclusively to the institutions erecting the same, may be erected and maintained, provided that the size of any such sign is not in excess of 20 square feet and no more than two such signs are placed on a property held in single and separate ownership, unless such property fronts upon more than one street, in which event no more than two signs may be erected on each frontage. **Signs may be externally illuminated with the exception of electronic reader board signs where allowed.**
- H. **One sandwich board per street frontage is allowed as follows:**
 - 1) **Any sandwich board sign shall not exceed two linear feet in width with a maximum height of 42 inches. Within these specified maximum dimensions, creative shapes that reflect the theme of the business are encouraged.**
 - 2) **The sign must be constructed of materials that present a finished appearance, rough-cut plywood is not allowed. The sign frame shall be painted or stained wood or anodized aluminum or metal, plastic signs are prohibited. Stenciled or spray painted signs are prohibited. Sign lettering should be professionally painted or applied. Chalkboard signs shall be permitted. Windblown devices, including balloons, may not be attached or otherwise made part of the sign. The written message of the sign should be kept to the minimum necessary to communicate the**

name of the business or special message, and should be small enough to not be legible from traffic on the street.

- 3) **The signs may be placed on the sidewalk directly in front of the associated establishment. The sign must not interfere with or obstruct pedestrian or vehicular traffic, however, a minimum of five feet of passage must be maintained on the sidewalk between the street and the sign. Signs may not be anchored to the sidewalk or attached to poles, vending boxes or other structures.**
- 4) **Signs shall be removed at the end of the business day and only displayed during regular business hours.**
- 5) **Signs may be externally illuminated, but the source of illumination must be arranged so that no direct rays of light are projected into any single family residential district or any public street.**

I. The Town of Georgetown Development Design Standards should be reviewed for sign design criteria.

§ 230-168. Signs permitted in UB2 Districts.

The following signs may be erected and maintained in a UB2 Neighborhood Business District:

- A. Any sign permitted in a UR1 Urban Residential District, UR2 Medium Residential District or UR3 Neighborhood Residential District.
- B. **One detached, on-premise sign or combination of signs, with total signage not to exceed 12 sq. ft. of area, nor 8 ft. in height, identifying the permitted business uses on the premises.** Where the primary structure has a setback of 25 feet or less from the property line, ~~one on premise sign not exceeding 12 square feet of area and not exceeding eight feet in height, identifying the permitted business use on the premises, shall be permitted.~~ Said sign may be externally illuminated, but the source of illumination must be arranged so that no direct rays of light are projected into any urban **single-family** residential district or any public street.
- C. ~~Where the primary structure has a setback of greater than 25 feet from the property line, the following shall be permitted:~~
 - 1) ~~One freestanding on premises sign or combination of signs, with total signage not to exceed 40 square feet of area, identifying the permitted business uses on the premises.~~
 - 2) ~~One on premises sign, attached flush and parallel to a building, for each business located on the premises, each sign not to exceed two feet in height and 24 feet in length.~~

- C. Signs may be located on a canopy, ~~marquee~~, wall **projecting** or ground, but may not project from a building into the public right-of-way. **Signs shall not obstruct vehicular or pedestrian visibility.**
- D. **Sandwich Board Signs as permitted in UB1 District.**
- E. **The Town of Georgetown Development Design Standards should be reviewed for sign design criteria.**

§ 230-169. Signs permitted in UB3 Districts.

The following signs may be erected and maintained in a UB3 Professional Business District:

- A. Any sign permitted in a UR1 Urban Residential District, UR2 Medium Residential District or UR3 Neighborhood Residential District.
- B. One on-premise sign not exceeding 12 square feet of area identifying a permitted professional use on the premises and not exceeding eight feet in height shall be permitted. Said sign may be externally illuminated, but the source of illumination must be arranged so that no direct rays of light are projected into any urban **single-family** residential district or any public street. **Signs shall not obstruct vehicular or pedestrian visibility.**
- C. Signs may be located on a wall or ground, ~~but may not project from a building~~ **and projecting signs shall not extend more than five feet into a required building setback and shall be a minimum of eight feet from the bottom of the sign to the walking surface and no part may extend beyond the roofline.**
- D. **The Town of Georgetown Development Design Standards should be reviewed for sign design guidelines.**

§ 230-170. Signs permitted in HC Districts.

The following signs may be erected and maintained in HC Highway Commercial District:

- A. Any sign permitted in a UR1 Urban Residential District, UR2 Medium Residential District, UR3 Neighborhood Residential District, MR1 Multifamily Residential District, MR2 Townhouse Residential District, UB1 Urban Business District, UB2 Neighborhood Business District or UB3 Professional Business District.
- B. Permitted sign ~~locations~~ **types** are marquee, canopy, projecting, wall and/or ~~ground~~ **detached.**
- C. ~~Limited to one ground sign to a lot having 50 feet of frontage or less, and one additional ground sign for each additional 100 feet of lot frontage or major fraction thereof.~~ **Each lot with less than 100 feet frontage is allowed one internally or externally illuminated, or unlighted detached sign, limited to a maximum of 50 square feet in area. The sign may not exceed 25 feet in height. Each lot with more than 100 feet of frontage is allowed one internally or externally illuminated, or unlighted detached sign, limited to 70 square**

feet. The sign may not exceed 25 feet in height. A corner lot may have two ground signs, the combined area of those two signs not to exceed 70 square feet and 25 feet in height.

D. All ground detached signs, 50 square feet or less, shall have a minimum front setback of 15 feet 25 feet from any if along a State maintained roadway and 10 feet from any if along a non-State maintained road or accessway. except ground detached signs supported by not over two pedestals, the bottom of which shall be at least 14 feet above the ground, and shall have a minimum front setback of two feet. A clear sight triangle should be provided at all corner lots with signage.

E. Each structure is allowed one internally illuminated or unlighted wall, awning, projecting or marquee sign not to exceed 18% of the front of the building.

F. Electronic Message Board Signs

For any sign which meets the definition of electronic message board sign, the following provisions shall apply:

1) The sign category for the zone in which the sign is proposed must allow for internal illumination of signs, except as provided in this section. Electronic message board signs shall only be permitted for Highway Commercial zoned properties with frontage on U.S Route 113 and institutional uses in any district, following the sign requirements for the underlying zone in which the institutional use is located.

2) The maximum sign area for an electronic message board, which is detached, shall be no greater than 75 percent of the maximum total allowable sign area designated by the underlying zone.

3) Signs shall not operate at brightness levels of more than 200 cd/m² (candelas per square meter). Each electronic message board shall have a light-sensing device that will adjust the brightness of the message board as the natural ambient light conditions change.

4) Only those changing electronic message signs utilizing monochrome colors such as white, red or amber shall be permitted. No RGB (Red-Green-Blue) technologies or other multi-colored display shall be permitted in an electronic message center sign in a manner that would create a video board. This section does not prohibit the use of color in a sign that is not a video board.

5) Changing electronic message signs shall maintain an 8-1-8 transition frequency. "8-1-8" means a message display time of a minimum of eight seconds, a transition time between messages of a maximum of one second, followed by a message display time of a minimum of eight seconds with all segments of the total message to be displayed within seventeen seconds.

- 6) All messages displayed on an electronic message board shall be directly related to the business for which the sign was constructed. No off-premises advertising signage is permitted.
- 7) All changing message signs shall be constructed as an integral part of a permanent sign constructed on site. "Integral" shall be considered to be incorporated into the framework and architectural design of the permanent sign. In all districts except HC, LI1 and LI2 permitted electronic message signs must be incorporated into and be integral to a monument type sign as defined in Section 230-164.1 Definitions.
- 8) Video boards shall be prohibited.
- 9) Each electronic message board sign located on a State maintained road must comply with all Delaware Department of Transportation rules and regulations applicable to electronic message board signs when not in conflict with this section.
- 10) There may only be one electronic message board sign per parcel or complex.

G. Complexes

- 1) Any complex shall be subject to the signage requirements established for parcels and structures as set out above in Section C, except as may be otherwise provided in this Section G.
- 2) A complex may have one detached sign, internally illuminated or unlighted sign, along each arterial or collector road on which the parcel abuts. The top of such sign shall not exceed a height of 25 feet from grade; shall be set back 25 feet if along a State maintained roadway and 10 feet if along a non-State maintained road or accessway. A clear sight triangle should be provided at all corner lots with signage. Such detached sign shall include the street address, the name of the center, and may include the name of the anchor unit and/or a directory of included units.
- 3) Each freestanding unit on a pad site or outparcel (with its own tax parcel identification number) within such a complex may have one internally illuminated or unlighted detached sign displaying the name of the business or use, not exceeding 50 square feet, and may have one internally illuminated or unlighted wall, awning, projecting or marquee sign not to exceed 15 square feet.
- 4) A unit that is part of a larger structure within such a complex may have one internally illuminated or unlighted wall, awning, projecting or marquee sign not to exceed 10% of the front of the unit to a maximum of 200 square feet.
- 5) Each such structure may also have one wall, projecting, awning or marquee sign, internally illuminated or unlighted, on each façade of the structure, each of which shall not exceed 15 square feet.

H. The Town of Georgetown Development Design Standards should be reviewed for sign design criteria.

§ 230-171. Signs permitted in LI1 Districts.

The following signs may be erected and maintained in a LI1 Limited Industrial District:

- A. Any sign permitted in a UR1 Urban Residential District, UR2 Medium Residential District, UR3 Neighborhood Residential District, UB1 Urban Business District, UB2 Neighborhood Business District or UB3 Professional Business District.
- B. Permitted sign locations are marquee, projecting, wall and/or ground **detached.**
- C. All ~~ground~~ **detached** signs shall have a minimum front setback of ~~15 feet~~ **25 feet if along a State maintained roadway and 10 feet if along a non-State maintained road or accessway,** except around signs supported by not over two pedestals, the bottom of which is more than 14 feet above the ground, shall have a minimum front setback of two feet.
- D. **All detached signs may be internally or externally illuminated. All wall, awning, projecting or marquee signs may be internally illuminated or unlighted.**
- E. **The Town of Georgetown Development Design Standards should be reviewed for sign design criteria.**

§ 230-172. Signs permitted in LI2 Districts.

The following signs may be erected and maintained in LI2 Light Industrial District:

- A. Any sign permitted in a HC Highway Commercial District or LI1 Limited Industrial District.
- B. **The Town of Georgetown Development Design Standards should be reviewed for sign design criteria.**

§ 230-173. Signs permitted in HD Districts.

The following signs may be erected and maintained in an HD Historic District:

- A. All signs must reflect the character of the district and receive approval from the Planning Commission.

§ 230-174. Signs permitted in ED Districts.

The following signs may be erected and maintained in ED Education District:

- A. All signs shall identify the institution or institutional activity and receive approval from the Planning Commission.
- B. **The Town of Georgetown Development Design Standards should be reviewed for sign design criteria.**

§ 230-175. Prohibited signs.

The following signs are prohibited in all districts:

- A. Flashing signs, ~~except time and temperature indicators faster than an 8-1-8 timeframe.~~
- B. Animated signs.
- C. Signs which produce noise or sounds, emit visible smoke, vapor, particles or odor.
- 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, ambulance vehicles, or for navigation purposes.
- E. 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 normal approaching position of a vehicle at a distance of 25 feet to 300 feet.
- F. Signs in any location which obstruct motorists' vision of traffic control signals.
- G. Signs attached to tress or utility poles.
- H. Signs attached to any vehicle parked primarily for display purposes.
- I. ~~Off-premises signs, unless approved by the Planning Commission Town Manager in an HC Highway Commercial District, provided that the sign developer/contractor erects signs of equal size and exposure elsewhere in Sussex County as a public service promoting the Town of Georgetown, such message and location to be approved by the Commission Town Manager.~~
- J. Spinners, streamers and inflatable signs.**
- K. Billboard signs.**
- L. Neon tube signs**
- M. Video board signs**

§ 230-176. Signs permitted in all districts.

The following signs are permitted in all districts:

- A. Signs erected by any governmental agency for purposes of direction, safety or convenience of the general public.
- B. Instructional signs, nonilluminated.
- C. Signs in conjunction with doorbells or mailboxes, not exceeding 12 square inches in area.

- D. Name and address signs, no more than one for each principal building or use on a premises and exceeding two square feet in area.
- E. Signs which are attached or which are an integral part of gasoline pumps or other dispensing or servicing devices, provided that such signs do not extend beyond the area of the pump, dispensing or servicing device to which they are attached, and provided that such activities or services are legally established uses.
- F. Signs displayed on shelters at school bus stops limited to two signs per shelter, and the sign area shall not exceed 32 square feet per sign. ~~Fifty percent of all such sign area shall be devoted to public service messages promoting the Town of Georgetown.~~ Shelter locations shall be approved by the Town Manager and the State Department of Public Instruction.
- G. Signs erected by or on behalf of the Town as approved by the Town Manager.

H. Businesses may have one standard three feet by five feet flag with the word "open" on it and mounted on a pole only during business hours. Flags must be at least six feet above grade and a maximum height of 10 feet, and must not block the sidewalk, right-of-way or obscure the visibility of pedestrians or vehicular traffic.

I. Road and traffic control signs, as approved by Delaware Department of Transportation and the Town.

J. Electronic message board signs located on sites of institutional uses must be incorporated into a monument sign not exceeding 24 square feet and can also be used to convey public information or emergency statements. Refer to Section 230-170F for additional requirements for electronic message board signs.

§ 230-177. Sign regulations for all districts.

The following general regulations will apply for all districts:

- A. No sign, unless herein excepted, shall be erected, constructed, posted, painted, altered, maintained or relocated except as provided in this chapter and in these regulations until a permit has been issued by the Town Manager. Before any permit is issued, an application especially provided by the Town Manager shall be filed, together with one set of drawings and/or specifications to fully advise and acquaint the Town Manager with the location, construction, materials, manner of illuminating, securing or fastening, and number of signs applied for, and wording of the sign or advertisement to be carried on the sign. ~~All signs shall be erected on or before the expiration of 90 days from the date of issuance of the permit; otherwise, the permit shall become null and void and a new permit shall be required. All signs requiring a Delaware Department of Transportation permit shall be subject to those provisions, in addition to the requirements of this article. Fees for sign permits shall be in accordance with the adopted schedule, a copy of which is maintained in the Town office with the Town Manager.~~

- 1) **All signs in excess of 32 square feet will be required to be reviewed by Sussex County for building code compliance and permitting.**

- 2) Application for any sign exceeding 32 square feet in any district must be made to the State of Delaware, Outdoor Advertising, Department of Highways and Transportation. This Department, under authority of Title 17 of Delaware Code, will govern all signs exceeding 32 square feet in the Town of Georgetown located along state maintained roadways.
- 3) All signs shall be erected on or before the expiration of 90 days from the date of issuance of the permit; otherwise, the permit shall become null and void and a new permit shall be required. Fees for sign permits shall be in accordance with the adopted schedule, a copy of which is maintained in the Town office with the Town Manager.

B. The following signs may be erected or constructed without a permit but in accordance with structural and safety requirements:

- 1) Signs erected by or required to be erected by any governmental agency to aid traffic and pedestrian safety.
- 2) Changing of the copy on a bulletin board, display encasement, poster board or marquee.
- 3) ~~Temporary~~ Nonilluminated signs, no more than ~~eight~~ 6 square feet in area, advertising real estate for sale or lease or announcing contemplated improvements of real estate, and located on the premises, one such sign for each street frontage.
- 4) ~~Temporary~~ Nonilluminated signs no more than ~~10~~ 6 square feet in area, erected in connection with new construction work and displayed on the premises during such time as the actual construction work is in progress, one such sign for each street frontage.
- 5) Instructional signs, nonilluminated.
- 6) Sign on a truck, bus or other vehicle while in use in the normal course of business. This section should not be interpreted to permit parking primarily for display purposes of a vehicle to which signs are attached.
- 7) ~~Temporary signs advertising a special civic or cultural event such as a fair, exposition, play, concert, fund raiser or meeting sponsored by a governmental or charitable organization with approval of the sign by the Town Manager. The following signs are considered temporary signs and valid for a period of 30 consecutive days.~~
 - a. Temporary signs advertising a special civic or cultural event such as a fair, exposition, play, concert, fund-raiser or meeting sponsored by a governmental or charitable organization with approval of the sign by the Town Manager.
 - b. Special decorative displays used for holidays or public demonstrations or promotion for nonpartisan, civic purposes, not to exceed one on premise.

c. Special sales promotion displays in a district where such sales are permitted, including displays incidental to the opening of a new business. Only one sign per business.

- ~~8) Special decorative displays used for holidays or public demonstrations or promotion for nonpartisan, civic purposes.~~
- ~~9) Special sales promotion displays in a district where such sales are permitted, including displays incidental to the opening of a new business.~~
- C. ~~Application for any sign exceeding 32 square feet in any district must be made to the State of Delaware, Outdoor Advertising, Department of Highways and Transportation. This Department, under authority of Title 17 of Delaware Code, will govern all signs exceeding 32 square feet in the Town of Georgetown located along state maintained roadways. **Window signs must be comprised of individual letters, logos, or design elements that are not encompassed by a solid opaque background so as not to obscure the view through the window. Window signs shall not cover more than 50% of window area, and shall be permitted in the HC-Highway Commercial and UB1-Urban Business District. The signage area of window signs shall not count towards the total signage allowed in both the HC and UB1 signage requirements specified in Sections 230-170 and 230-167.**~~
- D. Applications for unusual signs or displays which give rise to questions of interpretation of these regulations may be referred by the Town Manager to the Board of Adjustment for the purpose of interpretation by the Board and recommendation for action on the application by the Town Manager.
- E. Except as otherwise provided, these regulations shall be interpreted to permit one sign of each permitted type, in accordance with applicable regulations for each road frontage, for each permitted use on the premises.
- F. Signs of permitted types and sign area **are permitted** ~~may be placed on walls of buildings other than the front except on side or rear walls~~ **unless said wall(s) are closer than** facing, and within 100 feet of, a **from any** single-family residential district.
- G. The owner and/or tenant of the premises and the owner and/or erector of the sign shall be held responsible for any violation of these regulations. Where a sign has been erected in accordance with these regulations, the sign company shall be relieved of further responsibility under these regulations after final approval of the sign by the Town Manager.
- H. ~~All signs shall be maintained in good condition and appearance. After due notice has been given as provided below, the Town Manager may cause to be removed at the owner's expense any sign which shows gross neglect or becomes dilapidated.~~
- I. ~~The Town Manager 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 the sign fails to correct the violation within 15 days after receiving written notice of violation from the Town Manager. Removal of a sign by the Town Manager shall not affect any proceedings instituted prior to removal of such sign.~~

J. ~~No sign which is not an integral part of the building design shall be placed on the roof of a building, and no projecting sign shall extend over or above the roof line or parapet wall of a building.~~

H. All signs shall be maintained in good condition and appearance at all times. All signs shall be kept free of holes or tears or fraying and neatly painted, including all metal parts and supports that are not galvanized or of rust-resistant materials. After due notice has been given as provided below, the Town Manager may order the painting, repair, alteration or cause to be removed at the owner's expense any sign which shows gross neglect or becomes dilapidated, damaged or defective and has not been brought into compliance. The Town Manager 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 the sign fails to correct the violation within 15 days after receiving written notice of violation from the Town Manager. Removal of a sign by the Town Manager shall not affect any proceedings instituted prior to removal of such sign.

I. Any on-site sign remaining on a premise 180 days or more after the permanent closing and/or relocation of the business establishment shall be deemed an abandoned sign. The owner, lessee or person in control of any premises upon which an on-site sign is present, shall be responsible for the removal of any sign which refers to a business or establishment which has permanently closed and/or relocated or which otherwise no longer operates from the location, together with all supports, braces, guys, anchors or other fastening devices, within 180 days of such permanent closing, relocation or cessation of operation. A business or establishment will be considered permanently closed and/or relocated by written or posted notice to the Town and/or the public of such closing or relocating, or upon such other indication including but not limited to:

- 1) The cessation of the sale of goods and/or rendering of services**
- 2) The lack of business operating hours, including hours by appointment**
- 3) The extended absence of employees from the establishment**
- 4) The closing and/or securing of the means of egress to the business or establishment**

J. No sign which is not an integral part of the building design shall be placed on the roof of a building, and no projecting sign shall extend over or above the roof line or parapet wall of a building.

K. Political signs.

- 1) A "political sign" is any display utilized for the purpose of proposing or opposing the election of a candidate or ballot measure.
- 2) Prohibition of political signs on public property and in the public right-of-way.
 - a. No person shall paint, mark or write on, post, attach, or otherwise affix, any sign to or upon any public property, including but not limited to any public building, sidewalk, crosswalk, curb, fence, wall, public playground equipment, and/or facilities, street lamp post, utility pole, hydrant, tree, street or traffic signs.
 - b. Additionally, no political sign shall be placed, posted, or otherwise affixed in the public right-of-way, including parkways (e.g., the area between curb and sidewalk) or medians.
 - c. Exceptions. Political signs may be displayed for the purpose of a campaign stop, candidacy announcement, rally, etc.; however, these shall be removed within two hours after said event.
- 3) Political signs on private property. Political signs may be placed on private property with the consent of the property owner (or person entitled to possession) or his/her authorized agent, if any, subject to the following:
 - a. They will not be placed in a manner that obstructs either vehicular traffic (either by physical obstruction or obstruction of sight lines) or pedestrian traffic. They shall not present a physical danger to persons or property.
- 4) Time period for display and removal.
 - a. A political sign shall not be erected more than 60 days prior to any contested election and shall be removed within one week (seven days) after the election or referendum date.
 - b. Any sign which is an immediate peril or menace to the public or any person or is posted on public property or in any public right-of-way may be removed summarily (without notice) by the Town.

L. Windblown Displays Regulations.

Windblown displays shall be limited to one sign per business license. Signs shall be secured and should not obscure the visibility of pedestrians or vehicular traffic. Windblown displays shall not be placed in sidewalks or right-of-ways, or on roofs. All signs shall be maintained in good condition.

- 1) **Windblown displays used to draw attention to the promotion and sales of products or special events. Such sign may be displayed for no longer than 30 days.**

M. The Town of Georgetown Development Design Standards should be reviewed for sign design criteria.

Section 2. This Ordinance shall become effective following its adoption by a majority vote of all members elected to the Town Council.

BE IT ENACTED by the Town Council of the Town of Georgetown, Delaware on the _____ day of _____ A.D., 2014.

Bill West, Mayor

Chris Lecates, Secretary

1ST Reading: June 11, 2014

2nd Reading: June 25, 2014

Adoption: June 25, 2014