

CHAPTER 320
FORMERLY
SENATE BILL NO. 159
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO OUTDOOR ADVERTISING AND SIGNAGE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Title 17 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1102. Scope and definitions.

(b) As used in this chapter:

(16) "Gateway sign" means any sign, display, or device intended for its purpose to provide information to the travelling public advising motorists they are entering the boundaries of a political subdivision or established non-incorporated area of the State. A gateway sign may include a slogan or related graphic, or both, subject to the approval of the Department.

§ 1108. Location and condition of advertising regulated.

(a) Subject to subsection (c) of this section, no outdoor advertising sign, display or device, except a directional, gateway, or warning sign, official sign or notice erected by or with the approval of the Department, shall be erected subsequent to July 14, 1969, within 25 feet of the right-of-way line of any public highway if visible from any portion of the same.

(b) Subject to subsection (c) and subsection (d) of this section, no outdoor advertising sign, display or device, except a directional, gateway, or warning sign, official sign or notice erected by or with the approval of the Department, shall be erected or maintained:

- (1) On the right-of-way of any public highways;
- (2) Within 25 feet of any public playground, school or church if visible from any portion of the same;
- (3) Upon the inside curves or at or near a railroad crossing or a highway intersection, if such would obstruct or interfere with the view of a train, locomotive, streetcar or other vehicle at or approaching such crossing or intersection or so as to obstruct the view of such intersection or crossing or of a turn or a sharp change in alignment or in any manner dangerous to the public;
- (4) If such sign, display or device is obsolete or is not in good physical condition;
- (5) If such sign, display or device is not securely affixed to a substantial structure or in any way endangers traffic on any public highway.

Approved July 15, 2014