

**CITY OF OAK HILL  
ORDINANCE 2026-X5**

**SECOND READING**

**NOW THEREFORE**, be it ordained by the Council of the City of Oak Hill, in the State of West Virginia, as follows:

**SECTION 1: ADOPTION** “15.42.095 Non-Conforming Digital/LED Signs and Electronic Message Boards Adoption” of the Oak Hill Municipal Code is hereby *adopted* as follows:

**ADOPTION**

15.42.095 Non-Conforming Digital/LED Signs and Electronic Message Boards

A. Purpose and Intent

1. Allow the continued operation of existing Digital/LED Signs and Electronic Message Boards (EMB) in existence prior to the effective date of this ordinance;
2. Ensure such signs comply with current safety, illumination, and operational standards; and
3. Prevent expansion, enlargement, or intensification of nonconforming digital signage while preserving existing nonconforming rights as provided in §15.42.090.

B. Applicability. This section applies to all Digital/LED Signs and EMBs that:

1. Exist on the effective date of this ordinance; and
2. Are located in zoning districts where Digital/LED Signs and EMBs are not permitted.

C. Continuation of Nonconforming Status.

1. Digital/LED Signs and EMBs erected prior to the effective date of this Chapter or any prior amendment thereto, and which do not conform to current zoning or sign regulations, may remain as nonconforming signs, subject to the provisions of 15.42.065 and 15.42.090.

D. Operational Compliance Not a Structural Alteration.

1. Compliance with the operational, illumination, and safety standards of this Chapter, including but not limited to brightness limits, automatic dimming, message duration, transition standards, and malfunction controls, shall not be considered a structural alteration, enlargement, or prohibited modification for the purposes of 15.42.090.

E. Permitted Functional and Electronic Adjustments.

1. Owners of nonconforming Digital/LED Signs and EMBs may make functional, electronic, or software-based adjustments necessary to meet applicable operational and safety standards, including but not limited to:
  - a. Brightness and luminance adjustments;

- b. Installation or activation of automatic dimming or fail-safe modes;
- c. Shielding or re-orientation of light emission; and
- d. Configuration changes to message dwell time or transition effects;
- e. provided that such adjustments do not alter the physical structure, dimensions, height, sign face area, or sign type.

F. Registration Required.

1. Within 60 days of the effective date of this ordinance, the owner of a nonconforming Digital/LED Sign or EMB shall register the sign with the City and bring the sign into operational compliance in accordance with 15.42.065.
2. Registration with the City shall not constitute zoning approval or recognition of the sign as a permitted use.


**REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

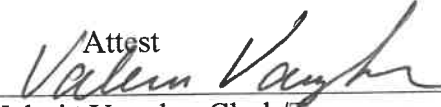
**SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance in whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**EFFECTIVE DATE** This Ordinance shall be in full force and effect from \_\_\_\_\_ and after the required approval and publication according to law.

PASSED FIRST READING BY THE CITY OF OAK HILL COUNCIL 3/9/20

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Bill Hannabass	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Diana Janney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roger Evans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Terry VanBuskirk	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tim Buskirk	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carlos (PJ) Elder Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Gill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Presiding Officer  
  
 \_\_\_\_\_  
 Charles H. Briscoe Jr., Mayor  
 City of Oak Hill

Attest  
  
 \_\_\_\_\_  
 Valerie Vaughn, Clerk/Treasurer  
 City of Oak Hill