

CITY OF OAK HILL
ORDINANCE 2026-X6
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 “15.04.065 General Regulations for Digital/LED Signs and
Electronic Message Boards” of the Oak Hill Municipal Code is hereby

adopted as follows:

ADOPTION

15.04.065 General Regulations for Digital/LED Signs and Electronic Message Boards

A. Purpose and Intent.

1. The purpose of this section is to regulate Digital/LED Signs and Electronic Message Boards (EMB) in order to:
 - a. Reduce visual clutter and cumulative brightness along commercial corridors;
 - b. Minimize driver distraction and maintain traffic safety;
 - c. Protect adjacent properties from excessive glare and light trespass;
and
 - d. Allow reasonable on-premise business identification consistent with community character.

B. Applicability.

1. Digital/LED Signs and EMBs shall be permitted only where expressly allowed by zoning district.
2. Digital/LED Signs and EMBs shall be considered on-premise signs and may not function as off-premise advertising.
3. All Digital/LED Signs and EMBs require a sign permit prior to installation.

C. Static Display Only.

All Digital/LED Signs and EMBs must display static images or text only. Moving

images, video, animation, scrolling text, flashing devices, or similar motion-based displays are prohibited.

D. Minimum Display Duration.

Message or image changes shall not occur more frequently than once every ten (10) seconds.

E. Transition Method.

Transitions between images or messages shall be instantaneous (“snap cut”). Fade, dissolve, travel, scroll, zoom, or other transition effects are prohibited.

F. Brightness / Illumination Standards.

Digital/LED Signs and EMBs shall comply with all of the following:

1. Automatic Dimming: Signs shall include a functioning automatic dimming mechanism that adjusts brightness according to ambient light levels.
2. Maximum Brightness:
 - a. Daytime: Not more than 17,000 lumens.
 - b. Nighttime: Not more than 1,000 lumens.
 - c. Measurement: Brightness shall be measured at the sign’s face using recognized industry standards (IESNA or equivalent).

G. Color Restrictions.

1. Signs may use full-color displays except for colors that mimic or resemble official traffic control devices or indications or emergency signals.

H. No Traffic Control Impersonation.

1. Digital/LED Signs and EMBs shall not imitate, simulate, interfere with, or purport to be a traffic control device. Prohibited characteristics include:

- a. Red, amber, or green circular indicators arranged vertically or horizontally;
- b. Flashing or pulsating patterns resembling emergency or warning lights;
- c. Shapes or symbols commonly used for traffic regulation.

I. Glare and Light Spill.

Signs shall be located and angled to prevent glare onto adjacent properties, streets, or residential districts. Shielding shall be required where necessary.

J. Malfunction Requirements.

In the event of sign malfunction, including uncontrolled brightness or flashing, the display shall default to a black screen (“fail-safe mode”) until repaired.

K. Location.

A. Digital/LED Signs and EMBs must comply with all setback and right-of-way requirements applicable to the zoning district.

L. Maximum Number and Concentration of Digital Signs.

1. Maximum Number Per Parcel.

Except as expressly provided herein, no parcel shall be permitted more than one (1) Digital/LED Sign or one (1) EMB, regardless of sign type.

2. Limited Exception for Larger Properties or Multi-Tenant Commercial Establishments.

A second Digital/LED Sign or EMB may be permitted on a parcel only where the applicant demonstrates that:

- a. The sign were separate building elevations or separate public street frontages; and
- b. The signs are not visually clustered, redundant, or oriented toward the same general viewing area; and
- c. The signs comply with all applicable spacing, setback, and illumination standards of this Code.

3. Prohibition on Clustering.

Under no circumstances shall multiple Digital/LED Signs or EMBs be placed in close proximity so as to create an excessive concentration of illuminated signage on a building facade, street frontage or zoning lot.

- a. Where more than one Digital/LED Sign or EMB is permitted on a zoning lot, such signs shall be separated by a minimum of eight (8) feet, measured from the nearest edge of each sign face.
- b. The Zoning Officer shall determine compliance with this subsection based on site layout, building orientation, and the purpose of minimizing visual clutter and cumulative brightness.

M. Compliance with State and Federal Highway Regulations.

Digital/LED Signs and EMBs that are adjacent to or face any state or federal highway may be subject to additional state or federal regulations, including but not limited to those enforced by the West Virginia Division of Highways or the Federal Highway Administration. Compliance with such regulations is required in addition to the provisions of this ordinance.

N. Enforcement.

1. Failure to comply with any provision of this section constitutes a violation of the City's sign ordinance.
2. Enforcement may include:
 - a. Issuance of a notice of violation.
 - b. Civil penalties as provided by City Code.
 - c. Suspension or revocation of sign permits.
 - d. Mandatory deactivation of the sign.

- e. Removal of the sign by the owner, or by the City at the owner's expense if necessary.
- 3. Each day a violation persists after the amount of time allowed by the City for correction shall constitute a separate offense.

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 SECOND READING ADOPTED BY THE CITY OF OAK HILL COUNCIL 3/9/24

	AYE	NAY	ABSENT	ABSTAIN
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