NEW CASTLE COUNTY DEPARTMENT OF LAND USE

FAQ

Real Estate Signs – What is permissible?

UDC Code Reference: 40.06.040
Fees – Chapter 6: Schedule of Permit Fees

The following are permitted:

1. A sign on a property that is for sale (**lot-premises signs**.) A sign that indicates the sale, rental, or lease of a structure or property that is a maximum of 6 square feet in area, setback at least 15 feet from the street line and limited to one sign per each street frontage on which the premises abuts. These signs must be on the property that is the subject of the sale, rental or lease.

2. A sign advertising the sale or rental of structures under construction (**development sign**) that is erected on the subject property. The sign must be no more than 64 square feet in area in residential zoning districts and no more than 100 square feet in all other zoning districts. The setback from the street line is the minimum distance required for the zoning district in which the sign is located. One sign is permitted per each street frontage on which the property abuts.

3. A sign advertising the time and location of an 'open house' for inspection of a property for sale or rent, or a directional sign for such open house (**open house sign**.) Each open house sign is limited to a maximum sign area of no more than 6 feet. The open house sign should be on the site, but the directional sign for a specific open house may be off site.

The following are **not** considered real estate signs and are permitted only as temporary signs with additional restrictions:

1. A sign giving directions to a property for sale that is not located on the subject property and is not advertising an open house. These signs are considered temporary signs (40.06.040(C) and require a permit from the Department of Land Use. They may not be located in the right-of-way, may be in place for up to one month, must be set back at least 25 feet and the appropriate fees must be paid, per the Schedule of Permit Fees in Chapter 6 of the County Code. The fee for a temporary sign is $1 per square foot of sign area, with the minimum fee being $50.

2. A sign that is non-property specific and advertises the services of a particular agency or realtor. These are either temporary signs or off-premises advertising signs. These signs may not be located in the right-of-way, require a permit, payment of permit fee and must be set back at least 25 feet.

Who is responsible for enforcing sign restrictions?
Many of the illegal signs in New Castle County are located in the street right-of-way. This area falls under the jurisdiction of the Delaware Department of Transportation. To file a complaint with DelDOT, call (302) 326-4696.

Signs that are not in the right-of-way, and therefore are located on private property, fall under the responsibility of New Castle County. Call (302) 395-5555 to file a complaint.