

**ORDINANCE NO. 2016-1223**

**AN ORDINANCE TO AMEND CHAPTER 30 OF THE  
ORANGE BEACH CODE OF ORDINANCES TO ADD  
A NEW ARTICLE IX, "POSTING OF BEACH REGULATIONS  
IN CERTAIN LODGING FACILITIES"**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORANGE BEACH,  
ALABAMA**, as follow:

**SECTION 1.** That Chapter 30 of the Code of Ordinances for the City of Orange Beach, Alabama is amended to add a new Article IX entitled "Posting of Beach Regulations in Certain Lodging Facilities", as follows:

**ARTICLE IX. POSTING OF BEACH REGULATIONS IN CERTAIN LODGING FACILITIES**

Sec. \_\_\_\_\_. Findings.

1. The City of Orange Beach is an Alabama Class 8 municipality that has been vested with a portion of the state's sovereign power to protect the public health, safety and welfare. Alabama Code section 11-45-1 (1975).
2. Citizens and visitors to Orange Beach enjoy abundant natural water resources, including beaches, bays, and inlets. The City is a tourist destination and there are numerous properties offered for vacation rentals on the beaches of the Gulf of Mexico within the corporate limits.
3. The City has previously adopted ordinances protecting the beaches and dunes, creating a "leave no trace" litter removal program, and establishing a beach flag warning system. Requiring owners of lodging facilities that are located on the beaches within the City to inform their guests of such regulations regarding the beaches is necessary to protect the public health, safety and welfare.

Sec. \_\_\_\_\_. Definitions.

*Owner* means the person who owns or has control of a lodging facility.

*Lodging facility* means any house, room, hotel, motel, or condominium within the corporate limits that:

1. offers for a fee, overnight accommodations to one or more persons who are not the owner of the lodging facility regardless of length of stay, and
2. the property abuts the Gulf of Mexico, or has legal access to the Gulf of Mexico that may be utilized by facility guests.

Sec. \_\_\_\_\_. Posting Requirements.

The Coastal Resources Manager shall from time to time provide a packet of information to the owner or property manager of each lodging facility, containing the rules, regulations and policies to be posted.

Sec. \_\_\_\_\_. Violations / Penalties.

It shall be unlawful for any owner or property manager of a lodging facility to fail or refuse to post the notices required by this ordinance and in the manner prescribed. Violations of this ordinance shall be prosecuted in accordance with Chapter 2 of the City's Code of Ordinances.

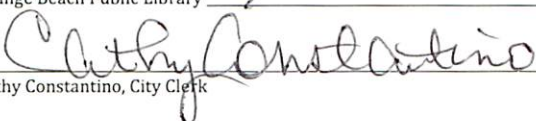
Sec. \_\_\_\_\_. Effective Date.

This ordinance shall become effective upon adoption by City Council.

**ADOPTED** this the 5<sup>th</sup> day of April, 2016.

  
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Cathy Constantino, MMC  
City Clerk

The City Clerk of the City of Orange Beach, Alabama hereby certifies  
that the foregoing Ordinance 2016-1223  
was posted on 04/08/16 in the following three  
(3) public places:  
Orange Beach City Hall   A  /  
Orange Beach Post Office \_\_\_\_\_  
Orange Beach Public Library \_\_\_\_\_

  
\_\_\_\_\_  
Cathy Constantino, City Clerk