

**ORDINANCE NO. 2012-1149**

**AN ORDINANCE TO AMEND CHAPTER 78,  
ARTICLE III, SECTION 92 OF THE CODE OF ORDINANCES  
OF THE CITY OF ORANGE BEACH – “COMMERCIAL VESSELS”**

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

**SECTION 1.** That Chapter 78, Article III, Section 92, of the Code of Ordinances for the City of Orange Beach is hereby amended so that the entire section shall read as follows:

**“Sec. 78-92. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Approved water taxi stop* means a commercial marina or docking and mooring location where water taxis may board and discharge passengers.

*Charter vessel* means a vessel chartered for hire for the purpose of recreational fishing, boating or other activity within the city and its police jurisdiction.

*Commercial marina* means a place for docking boats and for servicing marina-related needs included but not limited to: boat repairs, boat storage, boat servicing, boat rentals, fuel sales, loading areas for engines, tanks and other equipment; providing marine-related retail included but not limited to: bait and tackle stores, boat sales, and marina supplies; and providing accessory commercial uses included but not limited to: retail stores, restaurants and entertainment venues. A commercial marina is an approved location where water taxis may board and discharge passengers.

*Commercial vessel* means any vessel used for any commercial purpose, including but not limited to, charter fishing, charter boating, sightseeing, parasailing, dolphin or other cruises, water taxi, or other commercial activity on the waters within the city and its police jurisdiction.

*Docking and mooring location* means a place for docking boats that does not provide full services such as boat repairs, boat servicing, fuel sales, and unloading areas for engines, tanks and other equipment, but may provide food, beverages, entertainment, bait and tackle, and marina supplies. A docking and mooring location must be inspected and approved as a location where water taxis may board and discharge passengers.

*Operator* means any person who owns controls, navigates, directs or supervises a commercial vessel within the city and its police jurisdiction.

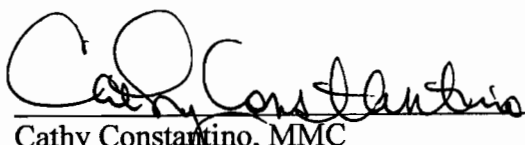
*Sightseeing vessel* means a vessel for hire that is designed to leave one dock or mooring location, transporting passengers to tour the waterways and returning to the same dock or mooring location it departed from within the city and its police jurisdiction.

*Vessel* means any watercraft, boat or conveyance for hire, designed to be used or actually used to transport persons or cargo upon the water within the city and its police jurisdiction.

*Water taxi* means any vessel for hire that is used to pick up and drop off passengers at approved water taxi stops. Such term does not include charter vessels or sightseeing vessels.

**SECTION 2. EFFECTIVE DATE.** This Ordinance shall be effective on and after its adoption and publication as required by law.

**ADOPTED** this 28<sup>th</sup> day of June, 2012.

  
Cathy Constantino, MMC  
City Clerk

The City Clerk of the City of Orange Beach, Alabama hereby certifies that the foregoing Ordinance was posted 7/6/12 in three (3) public places, viz:  
Orange Beach City Hall [Signature]  
Orange Beach Public Library [Signature]  
Orange Beach Post Office [Signature]  
Cathy Constantino  
City Clerk