



SMALL TOWN, BIG BEACH

ORDINANCE 1814

**AN ORDINANCE TO AMEND THE *CODE OF ORDINANCES*,
ADOPTED JULY 24, 1989, AT CHAPTER 4, ALCOHOLIC BEVERAGES, BY THE
ADDITION OF SECTION 4-9, POSSESSION OR CONSUMPTION AT CERTAIN
GULF STATE PARK AREAS, TO PROHIBIT THE POSSESSION OR
CONSUMPTION OF ALCOHOL BEVERAGES AT SUCH AREAS AND TO
PRESCRIBE PENALTIES FOR VIOLATIONS**

WHEREAS, the beaches and other areas in Gulf State Park represent one of the most valuable resources of the State of Alabama and it is in the public interest to preserve and protect them; and

WHEREAS, the Alabama Commissioner of Conservation and Natural Resources has established and promulgated rules and regulations governing activities in Gulf State Park pursuant to the Commissioner's authority under Ala. Code § 9-2-9(4) including Alabama Administrative Code § 220-5-.16 "Possession or Consumption of Alcoholic Beverages at Certain State Park Areas"; and

WHEREAS, Ala. Code § 9-2-9(4) provides that any violation of such rules and regulations is a misdemeanor punishable by a fine of not more than \$500.00 or imprisonment for not more than six months, or both; and

WHEREAS, the City of Gulf Shores has heretofore ordained in Section 1-8 of the Code of Ordinances that any person committing an offense within the corporate limits of the city, or within the police jurisdiction thereof, which is declared by a law or laws of the state, now existing or hereafter enacted, to be a misdemeanor shall be guilty of an offense against the city and shall, upon conviction, be subject to the penalties provided in Section 1-8(a); and

WHEREAS, certain areas of Gulf State Park described in § 220-5-.16 lie within the corporate limits of the City making violation of §220-5-.16 in such areas an offense against the city by operation of Section 1-8 of the Code of Ordinances; and

WHEREAS, the City Council of the City of Gulf Shores desires to express the clear intention of the City to assist the Alabama Commissioner of Conservation and Natural Resources as he may require in the enforcement of §220-5-.16,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN SPECIAL SESSION ON MARCH 18, 2016, as follows:

Section 1. That Chapter 4, Alcoholic Beverages, of the *Code of Ordinances*, adopted July 24, 1989, be and it is hereby amended by the addition of Section 4-9 POSSESSION OR CONSUMPTION AT CERTAIN GULF STATE PARK AREAS, reading in its entirety as follows:

Section 4-9 Possession or consumption at certain Gulf State Park Areas.

It shall be unlawful to possess or consume any alcoholic beverage at the following Gulf State Park areas, except as permitted in writing by the Commissioner of Conservation and Natural Resources or his designee: All beach areas and adjacent parking areas at all beach areas; and also including the beach pavilion, the state saltwater pier, all picnic areas, and the camp pavilion. Any person violating this Section 4-9 shall be guilty of an offense, punishable as provided in Section 1-8(a) of the Code of Ordinances.

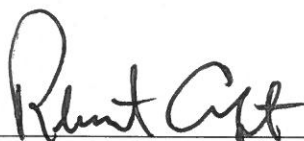
Section 2. That this Ordinance shall not be interpreted to repeal any other ordinance of the City of Gulf Shores or any provision of the law of Alabama adopted by operation of Section 1-8 of the City's Code of Ordinances.

Section 3. That the provisions of this Ordinance are severable and a determination of the invalidity of any portion of this Ordinance shall not affect the validity and enforceability of the remainder of the Ordinance.

Section 4. That this Ordinance shall become effective upon its adoption and publication as required by law.

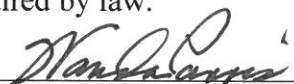
ADOPTED this 18th day of MARCH, 2016.

ATTEST: 
Wanda Parris, MMC, City Clerk


Robert Craft, Mayor

CERTIFICATE

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Ordinance No.1814 (prepared by City Clerk), which Ordinance was duly and legally adopted at a special meeting of the City Council on March 18, 2016, and the same was duly published as required by law.


City Clerk