



AGENDA
REGULAR COUNCIL MEETING
CITY OF GULF SHORES, ALABAMA
JANUARY 9, 2023
4:00 P.M.

1. Call To Order

2. Invocation

A. George Myers, Associate Minister, Saint Andrew By The Sea

3. Pledge Of Allegiance

4. Roll Call

5. Approval Of Minutes

A. December 12, 2022 - Council Work Session & Rescheduled Regular Council Meeting

B. January 3, 2023 - Rescheduled Council Work Session Meeting

6. Approval Of Expense Vouchers

7. Presentation Of Petitions, Requests And Communications

A. Firefighter Of The 4th Quarter 2022

Documents:

[FD - AGENDA ITEM SUMMARY - FFOM 4TH QUARTER 2022.PDF](#)
[FD - FFOM CERTIFICATE.PDF](#)

8. Public Hearing

A. Ordinance - Amend Zoning Ordinance - Rezone Gulf Shores Presbyterian Church

Documents:

[ORD - AMEND Z. O. - REZONE GULF SHORES PRESBYTERIAN CHURCH.PDF](#)

B. Ordinance - Zoning Text Amendment - Home Occupations Regulations

Documents:

[ORD - ZONING TEXT AMENDMENT - HOME OCCUPATIONS REGULATIONS.PDF](#)

9. New Business

- A. Resolution - Award Bid - Cunningham -DeLaney - GSHS Project

Documents:

[RESO - AWARD BID - CUNNINGHAM-DELANEY - GSHS PROJECT.PDF](#)
[PW - AGENDA ITEM SUMMARY - NEW HS SITE PACKAGE \(REVISED\).PDF](#)
[PW - 2022-12-15 - GSCS - NEW HIGH SCHOOL SITE PACKAGE - CERTIFIED BID TAB.PDF](#)
[PW - VOLKERT RECOMMENDATION LETTER.PDF](#)

- B. Ordinance - Annexation - 17131 Oyster Bay Road - Piland

Documents:

[ORD - ANNEXATION - PILAND.PDF](#)

- C. Ordinance - Annexation - 18957 County Road 8 - Tillman

Documents:

[ORD - ANNEXATION - TILLMAN.PDF](#)

- D. Ordinance - Annexation - 18986, 19008 & 19016 County Road 8 - Stewart

Documents:

[ORD - ANNEXATION - STEWART.PDF](#)

- E. Ordinance - Amend Code - Golf Carts

Documents:

[ORD - AMEND CODE - GOLF CARTS.PDF](#)

10. Committee Reports

11. Staff Reports

12. Hearing Of Persons Not Listed On Formal Agenda



SMALL TOWN, BIG BEACH

COUNCIL AGENDA SUMMARY

DATE: December 13, 2022

TO: Mayor, City Council, and City Administrator

FROM: Melvin Shepard, Chief of Staff

ISSUE: Firefighter of the Quarter, 4th quarter 2022

RECOMMENDATION: Firefighter Cody Campbell has worked for Gulf Shores Fire Rescue since 2019. He recently completed the Alabama Smoke Diver course with the desire to provide the best service possible to the residents and guest of Gulf Shores. This past year for the remembrance of September 11th, Cody organized the service that took place at Gulf Place with firefighters from local departments in attendance.

PREVIOUS COUNCIL ACTION: None

BUDGET IMPLICATIONS: None

RELATED ISSUES: None

ATTACHMENTS: Certificate of Recognition

DEPARTMENT: Fire Rescue

STAFF CONTACT: Melvin Shepard

Firefighter of the Quarter

FIREFIGHTER CODY CAMPBELL

Firefighter Campbell began his career with Gulf Shores Fire Rescue in 2019. Firefighter Campbell is an exceptional and knowledgeable firefighter. He has taken a personal responsibility to train, prepare and encourage his co-workers to better themselves and be better firefighters. Firefighter Campbell does the extra things in order to make our department successful.

Cody had a vision to host a memorial for the lives lost at The World Trade Center on 9/11. He spent months planning this event on his off time, and with the help of others, he was able to make it come to fruition. Firefighter Campbell has a passion for training and does an exceptional job explaining the material so that it is quickly learned and easily understood. In addition to helped others train, he trained long hours preparing himself physically and mentally to attend the Alabama Smoke Diver course, which he passed. Firefighter Campbell is an exceptional firefighter that is respected by his peers and supervisors. Cody is a professional and an ambassador for the fire service.

Firefighter Campbell's actions are a testament to his character and dedication to those around him. Words and awards cannot adequately represent the appreciation of the City of Gulf Shores or the Gulf Shores Fire-Rescue Department.

Now, therefore, on behalf of all the citizens and with our sincere thanks, we are pleased to award this CERTIFICATE of RECOGNITION to him as FIREFIGHTER OF THE QUARTER for the fourth quarter of 2022.


PAUL M. SEALY, FIRE CHIEF


ROBERT CRAFT, MAYOR

ORDINANCE NO.
AN ORDINANCE
AMENDING ORDINANCE NO. 1584
(ZONING ORDINANCE), ADOPTED JANUARY 1, 2010,
BY CHANGING THE ZONING CLASSIFICATION
OF A PORTION OF PROPERTY LOCATED AT 309 EAST 21ST AVE.
FROM R-4 RESIDENTIAL / HIGH DENSITY MULTIPLE-FAMILY TO
BG GENERAL BUSINESS
(ZA22-000063)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JANUARY 9, 2023, as follows:

Section 1. That in respect to a portion of property located at 309 East 21st Ave., in Gulf Shores, Alabama, being more particularly described as follows:

Block 4, Division 5 Gulf Pines Unit of Gulf Shores, Lots 7-13, the Northern 30ft of Lot 14, and Lots 17-20.

Section 2. That Ordinance No. 1584 (Zoning Ordinance) adopted January 1, 2010, along with the Zoning Map of the City of Gulf Shores, be and it is hereby amended and altered by rezoning a portion of property located at 309 East 21st Ave., Gulf Shores, Alabama, as illustrated and as attached on Exhibit A, from R-4 Residential/High-Density Multiple-family District to BG General Business.

Section 3. That this Ordinance shall become effective upon its adoption and publication as required by law.

ADOPTED this 9th day of JANUARY, 2023.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

C E R T I F I C A T E

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. (prepared by City Clerk), which Ordinance was duly and legally adopted at a regular meeting of the City Council on January 9, 2023 and published as required by law.

City Clerk

ORDINANCE NO.

**AN ORDINANCE
TO AMEND ORDINANCE NO. 1584
(ZONING ORDINANCE) ADOPTED JANUARY 1, 2010,
AT ARTICLE 11-5 HOME OCCUPATIONS.
CHANGING CERTAIN LANGUAGE
AND REWRITING AS REQUIRED
(ZTA22-02)**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES,
ALABAMA, WHILE IN REGULAR SESSION ON JANUARY 9, 2023, as follows:

Section 1. That Ordinance No. 1584 (Zoning Ordinance) adopted January 1, 2010, be and it is hereby amended by changing certain language and rewriting as follows:

* * * *

ARTICLE 11: SPECIFIC USE REGULATIONS

* * * *

§11-5. Home Occupations

- A. Intent. Home Occupations are a type of accessory use that accommodates limited business activities conducted incidental to a primary residential use. Home Occupations are intended to achieve multiple city goals and objectives, including reducing the number of home-to-work vehicle trips with related improvements in air quality; facilitating small business ventures that contribute to the city's overall economic health; and accommodating demand for certain business services convenient to where prospective clients or customers live. The standards and review procedures applicable to Home Occupations are generally intended to minimize the impact such uses may have on the character and enjoyment of the surrounding residential neighborhood, while furthering the goals and objectives stated herein.
- B. Application. Any person desiring to operate a Home Occupation shall submit an application to the Zoning Official. The applicant shall present evidence of ownership of the property in question, or a signed and notarized letter from the owner authorizing the application. The Zoning Official shall have ten (10) days in which to act on an application.
- C. Approval. Final approval shall be contingent upon the applicant obtaining a valid business license from the City.
- D. Limitation on Type of Home Occupation.
 - 1. No more than one (1) Home Occupation shall be approved in any residential Dwelling Unit or an approved Accessory Building.

2. The Home Occupation, whether located within a Principal Building or an Accessory Building, shall not in aggregate utilize more than twenty (20) percent of the GFA of the Principal Building, up to a maximum of 500 sf.
 3. Employment shall be limited to members of the Family residing in the Dwelling, and there shall be no employment of help other than members of the resident Family.
 4. No internal or external addition, alteration of the Dwelling is permitted to accommodate the Home Occupation.
 5. The operation of a Home Occupation shall not create any nuisance such as an increase in traffic, On-street Parking, excessive noise, vibration, Glare, odor, fumes, dust, heat, fire hazards, electrical interference (including radio, television, and telephone interference) or fluctuation in line voltage.
 6. There shall be no outside display or storage of materials, goods, supplies, or equipment used in the Home Occupation; nor shall the operation of a Home Occupation be present or noticeable beyond the property boundaries of the Home Occupation Premises.
 7. On-site sales, excluding those by phone, fax, mail, internet and similar remote methods or as permitted by the Alabama Cottage Food Law, shall be prohibited.
 8. Instruction in music, dancing and similar subjects shall be limited to two students at a time.
 9. The activity carried on as a Home Occupation shall be limited to the hours between 8 a.m. and 8 p.m.
 10. One professional or announcement sign may be used to identify the customary Home Occupation. Such sign shall not exceed two (2) sf in area exposed to view and must be mounted flat to the main wall of the Principal Building. No such sign shall be Directly Illuminated.
 11. Home Occupations shall not include any of the following:
 - a. Uses which do not meet the provisions listed above;
 - b. Automobile and/or body and fender repairing;
 - c. Barber shops and beauty parlors;
 - d. Food handling, processing or packing that does not comply with all requirements of the Alabama Cottage Food Law;
 - e. Repair, manufacturing and processing uses; however, this shall not exclude the Home Occupation of a dressmaker where goods are not manufactured for stock, sale, or distribution;
 - f. Restaurants;
 - g. Uses which entail the grooming, harboring, training, raising or treatment of dogs, cats, birds, or other animals;
 - h. Rental of vehicles or equipment of any kind; and
 - i. Tattoo Parlor and Body Piercing Studios.
- E. Expanded Home Occupation Uses Permitted within the AG District. The expanded Home Occupation uses as follows shall apply only to those properties within and which meet the minimum Lot size requirements of the AG District and except as otherwise specified within this section, the limitations on Home Occupations as outlined in Paragraph D above shall apply:

1. The Home Occupation may occupy all or a portion of an approved Accessory Building subject to §6-6 Accessory Buildings and Structures.
2. Employment shall be limited to members of the Family residing in the Dwelling except for laborers associated with permitted agricultural activities on the Premises.
3. The open display of produce grown on the Premises or other consumable products produced on the Premises shall be allowed from an approved Accessory Use subject to §6-6 Accessory Buildings and Structures.
4. Instruction in music, dancing, quilting, dressmaking, horse riding, cooking and similar subjects shall be limited to ten (10) students at a time and shall not occur more frequently than three (3) days per week.

* * * *

Section 2. That this Ordinance shall become effective upon its adoption and publication as required by law.

ADOPTED this 9th day of JANUARY, 2023.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

C E R T I F I C A T E

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. (prepared by City Clerk), which Ordinance was duly and legally adopted at a regular meeting of the City Council on January 9, 2023 and published as required by law.

City Clerk

RESOLUTION NO. -23

**A RESOLUTION
ACCEPTING THE BID OF CUNNINGHAM-DELANEY
FOR SITE WORK RELATED TO THE CONSTRUCTION OF THE
NEW GULF SHORES HIGH SCHOOL
IN AN AMOUNT NOT TO EXCEED \$7,463,456.00**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JANUARY 9, 2023 as follows:

Section 1. That the bid of Cunningham-Delaney to execute site work for the new Gulf Shores High School Campus, be and the same is hereby accepted, being the lowest, most responsible, among sealed bids opened on December 5, 2022.

Section 2. That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, a contract between the City of Gulf Shores and Cunningham-Delaney to execute a construction contract to complete early site work to include drainage work, utility work, road and parking lot development for the new Gulf Shores High School Campus in an amount not to exceed \$7,463,456.00; in substantially the form presented to Council this date.

Section 3. That costs associated with the construction of the new High School have been budgeted in the City High School Construction Line, Account #38-879-84900.

Section 4. That this Resolution shall become effective upon its adoption.

ADOPTED this 9th day of January, 2023.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

C E R T I F I C A T E

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 Resolution No. -23 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on January 9, 2023.

City Clerk



SMALL TOWN, BIG BEACH

CITY COUNCIL AGENDA SUMMARY

DATE: January 9, 2023

TO: Mayor, City Council

FROM: Noel Hand

ISSUE: Gulf Shores High School Construction Site Plan

RECOMMENDATION: Authorize the Mayor to execute a construction contract with Cunningham-Delaney to complete early site work for the new Gulf Shores High School campus in an amount not to exceed \$7,463,456. The new high school (located at the intersection of Foley Beach Express and Coastal Gateway Boulevard) proposed schedule is to be completed / open for the 2025/2026 school year.

BACKGROUND: Sealed bids were opened on December 5, at 2:00 p.m. Out of 4 pre-approved bidders, 3 bids were received. The lowest bidder was Cunningham-Delaney Construction coming in at \$7,463,456.00. Authorization of this contract will allow the High School site work to be completed prior to bidding the construction of the Gulf Shores High School facility, in July 2023. Scope of work includes site work, drainage work, utility work and road and parking lot development.

BUDGET IMPLICATIONS: All costs associated with the construction of the new High School have been budgeted in the City High School Construction Line, Account #38-879-84900.

ATTACHMENTS: Bid Tabulation Sheet, Recommendation Letter

DEPARTMENT: Public Works

STAFF CONTACT: Noel Hand, Public Works Director; Steve Griffin, City Administrator

BID TABULATION
 DATE: December 15, 2022
 TIME: 2:00 P.M.

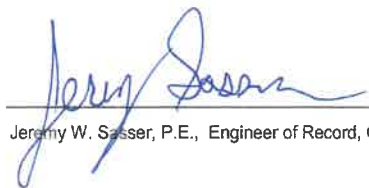
City of Gulf Shores - Gulf Shores City Schools
 PROJECT: New Gulf Shores High School - Site Package
 DCM Project No.: 2022356

BIDDERS	Ammons & Blackmon	Cunningham-Delaney Construction	John G. Walton	McElhenney Construction		
G. C. LICENSE NUMBER	49303	24036	20293	49555		
BONDING COMPANY	Fidelity	Hartford Fire Insurance	No Bid	Western Surety		
ADDENDA 1 THRU 4 ACKNOWLEDGED	Yes	Yes		Yes		
BASE BID ENVELOPE (ADD / DEDUCT)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
BASE BID	\$ 9,323,407.55	\$ 7,463,456.00	\$ -	\$ 12,885,456.78	\$ -	\$ -
NET BASE BID	\$ 9,323,407.55	\$ 7,463,456.00	\$ -	\$ 12,885,456.78	\$ -	\$ -

Comment: Prior to opening the proposals the budget of \$ -

I certify that the above bids were received sealed and were publicly opened and read aloud at the time and place indicated and that this is a true and correct tabulation of all bids received for this project

CERTIFIED BID TABULATION

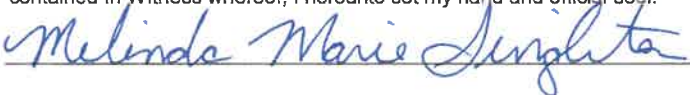


 Jeremy W. Sasser, P.E., Engineer of Record, Goodwyn Mill Cawood

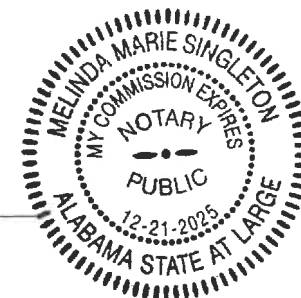


 Nathan H. Hancock, Project Manager, Volkert, Inc.
 State of Alabama
 County of BALDWIN

On this 15th Day of December 2022, Before Me, the undersigned notary public, Personally Appeared Jeremy W. Sasser and Nathan H. Hancock, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained. In Witness whereof, I hereunto set my hand and official seal.



12-21-2025
 Expiration



Volkert, Inc.
1680 West 2nd Street, Suite B
Gulf Shores, Alabama 36542
(251) 968-7551
www.volkert.com

VOLKERT

December 15, 2022

Mr. Steve Griffin
City Administrator
City of Gulf Shores

RE: DCM-2022356 – New Gulf Shores High School Site Package


Dear Mr. Griffin,

On Thursday, December 15, 2022, bids were received, opened, read aloud, and certified for the above noted project. Of the four (4) pre-approved bidders, three (3) contractors presented bids. Cunningham-DeLaney Construction, was the lowest responsible bidder with a total base bid of \$7,463,456. There were no Add Alternates associated with this package.

Upon final review of the provided bids, Volkert Program Management recommends that Cunningham-DeLaney be awarded the full construction contract in the amount of \$7,463,456.

I trust this information meets with your approval. However, should you have any questions or require and additional information, please do not hesitate to contact me at your convenience.

Sincerely,
Volkert, Inc.



Nathan H. Hancock
Project Manager

Attachment: GMC Letter of Concurrence
Certified Bid Tabulation

ORDINANCE NO.

**AN ORDINANCE
ASSENTING TO THE ANNEXATION
OF CERTAIN PROPERTY DESCRIBED HEREIN TO
THE CITY OF GULF SHORES, ALABAMA AND
EXTENDING THE CORPORATE LIMITS OF THE CITY
TO INCLUDE SUCH PROPERTY**

WHEREAS, on the 6th of December, 2022 Mr. & Mrs. Donald Piland, owners of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Gulf Shores; and

WHEREAS, said petition did contain the signatures of all of the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Gulf Shores; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Gulf Shores and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama, 1975;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JANUARY 9, 2023 as follows:

Section 1. That the Council of the City of Gulf Shores, Alabama, finds and declares that it is in the best interest of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Gulf Shores.

Section 2. That the boundary lines of the City of Gulf Shores, Alabama, be and the same are hereby altered or rearranged so as to include all of the territory hereto before encompassed by the corporate limits of the City of Gulf Shores, Alabama, and in addition thereto the following described territory, to-wit:

As situated in Baldwin County, Alabama, to-wit:

Legal: 10 AC(C) IRR FM SW COR GR SEC 1 TH RUN E 900'(S), TH NE 82'(S) TO THE POB TH CONT NE 82', TH NW 139.6', TH SW 82.1', TH NW 136.9', TH NE 1366.2', TH E 274.9', TH SW 1477.9', TH NW 125' TO THE POB

PPIN# 3904
17131 Oyster Bay Road
Gulf Shores, AL 36542

Section 3. That this ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Baldwin County, Alabama.

Section 4. That the territory described in this ordinance shall become a part of the corporate limits of the City of Gulf Shores, Alabama, upon publication of this ordinance as set forth in Section 3 above.

Section 5. That this Ordinance shall become effective upon its adoption and publication as required by law.

ADOPTED this 9th day of JANUARY, 2023.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

C E R T I F I C A T E

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. (prepared by City Clerk), which Ordinance was duly and legally adopted at a regular meeting of the City Council on January 9, 2023 and published as required by law.

City Clerk

ORDINANCE NO.

**AN ORDINANCE
ASSENTING TO THE ANNEXATION
OF CERTAIN PROPERTY DESCRIBED HEREIN TO
THE CITY OF GULF SHORES, ALABAMA AND
EXTENDING THE CORPORATE LIMITS OF THE CITY
TO INCLUDE SUCH PROPERTY**

WHEREAS, on the 19th of December, 2022 Mr. Robbie Tillman, owner of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Gulf Shores; and

WHEREAS, said petition did contain the signatures of all of the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Gulf Shores; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Gulf Shores and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama, 1975;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JANUARY 9, 2023 as follows:

Section 1. That the Council of the City of Gulf Shores, Alabama, finds and declares that it is in the best interest of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Gulf Shores.

Section 2. That the boundary lines of the City of Gulf Shores, Alabama, be and the same are hereby altered or rearranged so as to include all of the territory hereto before encompassed by the corporate limits of the City of Gulf Shores, Alabama, and in addition thereto the following described territory, to-wit:

As situated in Baldwin County, Alabama, to-wit:

PPIN#: 10636 – Legal: Lot 3-A, 3rd Addition Taylor’s Riverview Subdivision

18957 County Road 8
Gulf Shores, AL 36542

Section 3. That this ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Baldwin County, Alabama.

Section 4. That the territory described in this ordinance shall become a part of the corporate limits of the City of Gulf Shores, Alabama, upon publication of this ordinance as set forth in Section 3 above.

Section 5. That this Ordinance shall become effective upon its adoption and publication as required by law.

ADOPTED this 9th day of JANUARY, 2023.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

C E R T I F I C A T E

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. (prepared by City Clerk), which Ordinance was duly and legally adopted at a regular meeting of the City Council on January 9, 2023 and published as required by law.

City Clerk

ORDINANCE NO.

**AN ORDINANCE
ASSENTING TO THE ANNEXATION
OF CERTAIN PROPERTY DESCRIBED HEREIN TO
THE CITY OF GULF SHORES, ALABAMA AND
EXTENDING THE CORPORATE LIMITS OF THE CITY
TO INCLUDE SUCH PROPERTY**

WHEREAS, on the 6th of December, 2022 Mr. & Mrs. William Stewart, owners of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Gulf Shores; and

WHEREAS, said petition did contain the signatures of all of the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Gulf Shores; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Gulf Shores and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama, 1975;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JANUARY 9, 2023 as follows:

Section 1. That the Council of the City of Gulf Shores, Alabama, finds and declares that it is in the best interest of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Gulf Shores.

Section 2. That the boundary lines of the City of Gulf Shores, Alabama, be and the same are hereby altered or rearranged so as to include all of the territory hereto before encompassed by the corporate limits of the City of Gulf Shores, Alabama, and in addition thereto the following described territory, to-wit:

As situated in Baldwin County, Alabama, to-wit:

Legal: Lot 3-A, 3rd Addition Taylor's Riverview Subdivision
PPIN# 10636
18986, 19008 & 19016 County Road 8
Gulf Shores, AL 36542

Section 3. That this ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Baldwin County, Alabama.

Section 4. That the territory described in this ordinance shall become a part of the corporate limits of the City of Gulf Shores, Alabama, upon publication of this ordinance as set forth in Section 3 above.

Section 5. That this Ordinance shall become effective upon its adoption and publication as required by law.

ADOPTED this 9th day of JANUARY, 2023.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

C E R T I F I C A T E

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. (prepared by City Clerk), which Ordinance was duly and legally adopted at a regular meeting of the City Council on January 9, 2023 and published as required by law.

City Clerk

ORDINANCE NO.

**AN ORDINANCE
TO AMEND THE *CODE OF ORDINANCES*, ADOPTED JULY 24, 1989,
BY ADDING CERTAIN LANGUAGE
AT CHAPTER 21, TRAFFIC, ARTICLE I. IN GENERAL,
SECTION 21-13 PERMITTING AND REGULATING THE OPERATION OF GOLF
CARTS AND LICENSED LOW SPEED VEHICLES ON
CERTAIN PUBLIC STREETS WITHIN THE CITY OF GULF SHORES
AT SUBSECTION 1 (B) DESIGNATED CART STREETS**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JANUARY 9, 2023 as follows:

Section 1: That the Code of Ordinances, City of Gulf Shores, Alabama, is hereby amended at Section 21-13 to Chapter 21, Traffic, Subsection 1 (b) Designated Cart Streets by adding certain streets located in Cypress Park Subdivision so that the entire Ordinance shall read as follows:

Section 21-13. Operation of Golf Carts On Certain Public Streets Permitted And Regulated.

- (a) *Policy Statement.* This Section is enacted pursuant to the authority of the Alabama Constitutional Amendment adopted pursuant to Act No. 2016-271. In enacting this Section, the City Council confirms its view that golf carts are not designed or manufactured to be suitable for use on public streets and roads, and the City of Gulf Shores in no way advocates or endorses the operation of golf carts on public streets. The City understands that residents within golf course residential communities and other communities desire to have the option to operate their golf carts on a limited basis within those communities in order to access the amenities in and immediately adjacent to those communities, and have secured the adoption of Act No. 2016-271 to allow the enactment of ordinances permitting such operation in Baldwin County subject to the terms of the Act and to such other restrictions the City may impose as authorized by the Act. In designating public streets on which golf carts may be legally operated, the Act requires the City to determine that golf carts may safely travel on such designated streets after consideration of factors including, but not limited to, the speed, volume, and character of motor vehicle traffic using the street. The designation in this Section of certain

streets as streets on which golf carts may safely travel is not a determination or representation by the City that operation of golf carts on such streets is in fact safe or advisable even if done in accordance with this Ordinance due to the limited drive characteristics and safety features of golf carts. All persons operating golf carts must be observant of, and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians. All persons who operate or ride carts on public streets inside the City of Gulf Shores do so at their own risk and peril, and no permit for the operation of a golf cart on the public streets shall be issued except upon execution by the owner of the golf cart of a written undertaking to indemnify and hold the City, its officials, officers, agents, and employees harmless from any and all liability of any kind or character directly or indirectly associated with such operation.

(b) *Definitions.* As used in this Section, the following terms shall have the following meanings:

“Cart” shall mean a golf cart equipped with approved seat belts for each occupant, head lights, brake lights, turn signals, a windshield, a rear view mirror, efficient brakes, reliable steering apparatus, safe tires, red reflectorized warning devices on both the front and rear and an orange warning flag displayed at least six (6) feet above the ground, excepting, however any, State Tagged Cart or Municipal Service Vehicle.

“Designated Cart Street” shall mean the following public streets within the corporate limits of the City of Gulf Shores, Alabama designated under this Section for the use of Carts, to be marked with appropriate signage advising that the street may be utilized by Carts:

THE FOLLOWING CERTAIN STREETS IN GULF WOOD HIGHLANDS SUBDIVISION:

HILLTOP DRIVE
 14TH AVENUE
 YUPON DRIVE
 OAK RIDGE DRIVE
 13TH AVENUE
 SUNSET DRIVE
 MAGNOLIA DRIVE
 12TH AVENUE
 W 2ND STREET
 WEST 1ST STREET

THE FOLLOWING CERTAIN STREETS IN CYPRESS PARK SUBDIVISION AND SURROUNDING AREA:

WEST 19th AVENUE - stops @ West 1st Street
WEST 22nd AVENUE - stops @ West 1st Street
WEST 23rd AVENUE
EAST 24th AVENUE
WEST 1st STREET
WEST 2nd STREET
WEST 3rd STREET
WEST 4th STREET
WEST CANAL DRIVE
CLUBHOUSE DRIVE - stops @ West 1st Street
PROFESSIONAL LANE
OFFICE PARK DRIVE
LAKEWOOD COURT
HOGAN DRIVE
WEDGEWOOD DRIVE
WEST FAIRWAY DRIVE
EAST FAIRWAY DRIVE
BEAR CREEK DRIVE
BEAR CREEK COVE
BEAR CREEK COURT
MOSSY OAK DRIVE
HERON COVE LANE
LOPEZ COURT
TREVINO DRIVE
REGENCY ROAD
HERITAGE DRIVE
TWISTED OAK CIRCLE
CAMELIA CIRCLE
ROYAL OAK CIRCLE
PINERIDGE DRIVE
FORESTWOOD DRIVE
HOLLY LANE

THE FOLLOWING CERTAIN STREETS IN CRAFT FARMS:

ALTON ST
AUGUSTA DR
BIRKDALE ST
BLUE HERON DR
COTTON CREEK BLVD
COTTON CREEK CIR
CRAFT FARMS BLVD
CRAIGEND LOOP

CYPRESS BEND DR
CYPRESS CIR
CYPRESS LAKE DR
CYPRESS POINT DR
DARLEY CIR
DORR AV
ESTATES DR
GLEN EAGLES AV
GREENAN WAY
GROVE ST
GYAWS AV
INVERNESS CIR
LADYBANK ST
MUIRFIELD CT
OLDE PARK CT
OLDE PARK LN
OLDE PARK RD
PINEHURST CIR
PINEHURST DR
PINEHURST PT
PINEVIEW PL
PORTLAND CIR
PRESTWICK AV
PRESTWICK CIR
ROYAL DR
ROYAL GLEN BLVD
ROYAL TROON CIR
ROYAL TROON DR
SAINT ANDREWS DR
SAINT ANDREWS DR E
TURNBERRY DR
VILLAGE DR
VILLAGE LN
WILLOW POINT CT

THE FOLLOWING CERTAIN STREETS IN MARTYN WOODS AT BON SECOUR:

LYMAN BOULEVARD
MILLHOUSE ROAD
TREASURE OAKS ROAD
TREASURE OAKS COURT
BEATRICE ROAD
MILLWOOD DRIVE

THE FOLLOWING CERTAIN STREETS IN AVENTURA:

STAFFORD BOULEVARD

ALDRIN AVENUE

CONRAD COURT

BORMAN COURT

BORMAN LOOP

ROOSA AVENUE

SHEPARD STREET

APOLLO AVENUE

POGUE STREET

WORDEN STREET

LANDWARD DRIVE NORTH

LANDWARD DRIVE SOUTH

HAISE LANE

GEMINI STREET

MERCURY CIRCLE

THE FOLLOWING CERTAIN STREETS IN AND AROUND WEST LAGOON AVENUE:

WEST LAGOON AVENUE

10TH STREET

11TH STREET

12TH STREET

By Resolution of the Council adopted from time to time subsequent to the enactment of this Section, the list of Designated Cart Streets may be amended by the addition of other streets or the deletion of streets previously listed, provided, however, no street on which the speed limit is greater than 25 miles per hour shall be designated as a Designated Cart Street.

“State Tagged Cart” shall mean a golf cart, low speed vehicle, or neighborhood electric vehicle that is registered with and licensed by the State of Alabama under Title 32 of the Code of Alabama.

“Municipal Service Vehicle” shall mean a City operated State Tagged Cart or other City operated motorized equipment or vehicle when in service for the provision of public safety or public maintenance services.

(c) Rules and Regulations

Carts may not be operated on any public street, road, or highway within the corporate limits of the City of Gulf Shores that is not a Designated Cart Street and may be operated only on Designated Cart Streets in accordance with the following rules and regulations. A State Tagged Cart that is not a Municipal Service Vehicle may not be operated on any public

street, road, or highway within the corporate limits of the City of Gulf Shores on which the posted legal speed limit is greater than 25 miles per hour.

(1) No person who is not a driver licensed by the State of Alabama or, in the case of a non-resident, by his or her home state or country or who is less than eighteen (18) years of age may operate a Cart on a designated Cart Street.

(2) Carts may be operated on Designated Cart Streets only between the hours between sunrise and no later than 10:00 p.m. The headlights on the Cart shall be illuminated at all times when it is in operation on Designated Cart Streets regardless of the time of operation.

(3) Any person who operates a Cart on the Designated Cart Streets must adhere to all State and municipal laws applicable to the operation of motor vehicles, including, without limitation, all laws concerning the operation of a vehicle under the influence of alcohol or drugs. The operator of a Cart may not overtake and pass in the same lane occupied by the vehicle being overtaken. A Cart may not be operated between lanes of traffic or between adjacent lines or rows of vehicles, and Carts may not be operated two or more abreast in a single lane.

(4) Cart drivers must yield the right-of-way to overtaking vehicles at all times.

(5) The maximum occupancy of a Cart shall be the number of occupants for which the Cart has approved seat belts. No Cart shall be operated on any public street unless all occupants are seated with their seat belts fastened. No child under the age of five (5) shall be transported in a Cart on any public street.

(6) No Cart shall be operated on any public sidewalk or bike path.

(7) No Cart shall be parked in a designated handicapped parking space unless the driver or at least one passenger has a valid handicap parking permit that is displayed on the Cart.

(8) No Cart may be operated on a Designated Cart Street without a valid permit sticker issued by the Gulf Shores Police Department to the owner of the Cart attached. A yearly fee of twenty dollars (\$25.00) per Cart will be charged by for this permit sticker on the basis of each calendar year or portion thereof. Each Cart must be inspected annually before a permit is issued and no permit shall be issued for any Cart that does not meet the equipment and condition requirements of this Ordinance. No permit shall be issued for any Cart without proof that any person who may operate the Cart on a public street is covered by a policy of liability insurance held by the owner of the Cart. The required minimum liability limits for the operation of the Cart shall be the same as required by the State of Alabama for operation of a motor vehicle.

(d) *Violations.* The following shall constitute violations of this Section:

(1) The operation of a Cart on any public street, road, or highway within the corporate limits or police jurisdiction of the City of Gulf Shores that is not a Designated Cart Street.

(2) The operation of a Cart on a Designated Cart Street in violation of any of the rules or regulations set out in subsection (c) above.

(3) The operation of a golf cart that is not a Cart with a valid permit sticker on any public street, road, or highway within the corporate limits or police jurisdiction of the City of Gulf Shores.

(4) The operation of a State Tagged Cart that is not a Municipal Service Vehicle on any public street, road, or highway within the corporate limits of the City of Gulf Shores on which the posted legal speed limit is greater than 25 miles per hour.

The unauthorized operation of a golf cart, Cart, or State Tagged Cart on any public street, road, or highway in violation of this Section shall be a violation for which the City may assess and collect a civil penalty from the owner in the amount of fifty dollars (\$50.00). In addition, any person committing a violation of this Section shall, upon conviction, be punished by a fine of not less than one dollar (\$1.00) nor more than two hundred dollars (\$200.00) and/or may be imprisoned for a period not exceeding thirty (30) days, at the discretion of the court trying the case. In the event of the assessment of a civil penalty against the owner, of a conviction of the owner or operator of a violation, or both, and at the discretion of the Chief of Police reviewable by appeal to the City Council, the Cart permit sticker issued to a Cart operated in violation of this Ordinance may be revoked by the Chief of Police.

(e) *Section Supplementary To Federal and State Regulation.*

The provisions of this Section shall be interpreted as supplementary to all other municipal, state and federal laws and regulations now or hereafter in force, and compliance with this Section does not relieve an individual from the requirement of compliance with all other applicable municipal, state and federal laws and regulations, if any.

Section 2. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such declaration shall not affect the validity and enforceability of the remaining provisions of the Ordinance.

Section 3. This Ordinance shall become effective upon its adoption and publication as required by law.

Adopted this 9th day of January, 2023.

Robert Craft, Mayor

Attest:

Wanda Parris, MMC
City Clerk

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. (prepared by City Clerk), which Ordinance was duly and legally adopted at a regular meeting of the City Council on January 9, 2023 and the same was duly published as required by law.

City Clerk