

ORDINANCE NO.

**AN ORDINANCE
TO AMEND THE *CODE OF ORDINANCES*,
ADOPTED JULY 24, 1989, AT CHAPTER 11, CRIMINAL CODE,
ARTICLE I. IN GENERAL,
SECTION 11-9 – DESIGNATE RESTRICTED ENTRY AREA**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 13, 2023, as follows:

Section 1. That Chapter 11, Criminal Code, Article I. In General, Section 11-9 – Designate Restricted Entry Area of the Code of Ordinances, adopted July 24, 1989, be and it is hereby amended to read in its entirety as follows:

CHAPTER 11. CRIMINAL CODE

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ARTICLE I. IN GENERAL

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Section. 11-9. Definitions. Restricted Entry Area

Restricted Entry Area shall mean an area on City owned property designated by the City Council into which entry is restricted for the protection and security of City personnel and property. Restricted Entry Area shall include the following described area and any other area subsequently designated as a Restricted Entry Area by resolution of the Council:

RESTRICTED AREA – 220 Clubhouse Drive, Gulf Shores AL 36542

Begin at the Southeast corner of the Police Station Building in Gulf Shores Alabama having coordinates based on state plane NAD83, Alabama West Zone of Northing: 98699.3010, Easting: 1908629.8530; thence N 89°15'58" E a distance of 32.79 feet to a (CA 1165) mag nail; thence N 02°30'26" W a distance of 171.83 feet to a (CA 1165) mag nail; thence N 90°00'00" W a distance of 26.82 feet to a (CA 1165) #4 rebar; thence S 00°00'00" E a distance of 33.27 feet to a (CA 1165) #4 rebar; thence N 90°00'00" W a distance of 265.39 feet to a (CA 1165) #4 rebar; thence N 28°24'22" W a distance of 37.82 feet to a (CA 1165) #4 rebar; thence N 90°00'00" W a distance of 107.31 feet to a (CA 1165) #4 rebar; thence S 00°00'00" E a distance of 110.19 feet to a (CA 1165) #4 rebar; thence N 90°00'00" E a distance of 52.54 feet to a (CA 1165) #4 rebar; thence S 00°00'00" E a distance of 51.41 feet to a (CA 1165) mag nail; thence S 70°17'00" E a distance of 81.32 feet to a (CA 1165) mag nail; thence S 00°00'00" E a distance of 44.99 feet to a (CA 1165) #4 rebar; thence N 90°00'00" E a distance of 133.35 feet to a (CA 1165) mag nail; thence N 02°38'50" W a distance of 51.79 feet to a (CA 1165) mag nail;

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thence N 87°19'28" E a distance of 14.29 feet to a (CA 1165) mag nail; thence S 89°13'54" E a distance of 3.28 feet to a (CA 1165) mag nail; thence S 82°17'27" E a distance of 12.17 feet to a

(CA 1165) mag nail; N 89°25'15" E a distance of 77.74 feet to a (CA 1165) mag nail; thence N 02°00'03" W a distance of 10.04 feet to a corner of the aforementioned Police Station building at the West side of the South entrance, having coordinates based on state plane NAD83, Alabama West Zone of Northing: 98698.9484, Easting: 1908604.666; thence crossing the entrance and along the South face of said building N 89°07'47" E a distance of 25.19 feet to the Point of Beginning, having an area of 69,670 square feet, or 1.60 acres, more or less.

The perimeter of any Restricted Entry Area shall be appropriately marked with readily visible signage reading substantially: "This is a Restricted Entry Area. Unauthorized Entry Is Punishable As Criminal Trespass."

Unauthorized Entry shall mean entry by anyone other than (a) a City official, officer, agent, contractor, or employee entering in the discharge of their duties or otherwise for the direct purposes of the City or (b) a person other than a City official, officer, agent, contractor or employee directly accompanying a City official, officer, agent, contractor, or employee who is entering in the discharge of their duties or otherwise for the direct purposes of the City.

Unauthorized entry into a Restricted Entry Area is prohibited and is punishable as criminal trespass as provided in Section 13A-7-4 of the Code of Alabama and Chapter 11. Section 11-9 of the City Code of Ordinances.

Section 11-9. Fine for Offenses.

(a) Any person violating any provision of this Ordinance shall be guilty of third degree trespass, and upon conviction, shall be punished for each offense by a fine fixed as follows:

Fixed Fine: \$1.00 - \$200.00 and/or 30 days in jail.

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.

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ADOPTED this 13th day of March, 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 March 13, 2023.

City Clerk