

ORDINANCE NO.

**AN ORDINANCE TO AMEND THE *CODE OF ORDINANCES*,
ADOPTED JULY 24, 1989, AT CHAPTER 11, CRIMINAL CODE, TO ADD
SECTION 11-10 TO PROHIBIT THE THROWING, TOSSING, OR
DROPPING OF OBJECTS FROM A BALCONY, ROOF TOP, OR OTHER
ELEVATED LOCATION**

WHEREAS, the City Council of the City of Gulf Shores finds that the intentional or reckless throwing, tossing, or dropping of objects from balconies, roof tops, and other elevated places presents a real and present danger of personal injury and property damage that should be prohibited in the interest of the safety and welfare of the residents of the City and its visitors,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 27, 2023, as follows:

Section 1. That Chapter 11, Criminal Code, *Code of Ordinances*, adopted July 24, 1989, be and it is hereby amended by the addition of Section 11-10 reading in its entirety as follows:

Section 11-10 – Objects Not To Be Thrown, Tossed, Or Dropped From Balconies Or Other Elevated Places.

- (a) It shall be unlawful for any person, with the intent to cause injury or property damage or recklessly creating the risk of injury or property damage, to intentionally throw, toss, or drop from a balcony, roof top, or other place elevated more than one story above ground level any object capable of causing any injury to another person or any damage to the property of another.

- (b) Violation of this Section 11-10 shall constitute an offense punishable as provided in Section 1-8 of the Code of Ordinances; provided, however, that the nondiscretionary minimum fine to be imposed for violation of this provision shall be \$250.00.

Section 2. 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 3. 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 4. That this Ordinance shall become effective upon its adoption and publication as required by law.

ADOPTED this 27th day of March, 2023.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk