

**ORDINANCE NO.**  
**AN ORDINANCE**  
**GRANTING A NON-EXCLUSIVE FRANCHISE**  
**TO THE DOWN UNDER DIVE SHOP**  
**TO UTILIZE THE BODENHAMER RECREATION CENTER POOL**  
**AND AUTHORIZING**  
**THE EXECUTION OF A FRANCHISE AGREEMENT**  
**BETWEEN THE CITY OF GULF SHORES AND THE CORPORATION**

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 23, 2026, as follows:

**Section 1.** That a nonexclusive franchise be and it is hereby granted to The Down Under Dive Shop which operates within the corporate limits of the City for a term of an initial one (10) month term expiring December 31, 2026 with a renewal option for two (2) additional one (1) year terms.

**Section 2.** That the Mayor and City Clerk are hereby directed and authorized to execute and attest, respectively, a Franchise Agreement between the City of Gulf Shores and The Down Under Dive Shop, which sets forth the requirements, covenants and agreements of a franchise to the corporation for the provision of such services.

**Section 3.** That the subject Franchise Agreement, the full text of which is available for examination in the office of the City Clerk, is dated March 23, 2026.

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

ADOPTED this 23<sup>rd</sup> day of March, 2026.

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Robert Craft, Mayor

ATTEST:

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Tobi Waters, MMC  
City Clerk

**C E R T I F I C A T E**

I, Tobi Waters, 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 23, 2026, and the same was duly posted as required by law.

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City Clerk