

[DRAFT 10/16/2019]

ORDINANCE NO.

**AN ORDINANCE TO AMEND THE *CODE OF ORDINANCES*,
ADOPTED JULY 24, 1989, AT CHAPTER 11, CRIMINAL CODE,
ARTICLE I. IN GENERAL, BY REVISION OF SECTION 11-2 TO
CLARIFY THE PROHIBITION OF CERTAIN ACTIVITIES IN
VEHICLES, OUT-OF-DOORS, OR IN NONRESIDENTIAL ZONES**

WHEREAS, the City of Gulf Shores has heretofore undertaken to regulate certain activities in vehicles, out-of-doors, or in nonresidential zones within the corporate limits and police jurisdiction of the City by adoption of Section 11-2 of the Code of Ordinances; and

WHEREAS, the City Council of the City of Gulf Shores finds it appropriate to amend Section 11-2 to better describe the activities regulated under that Section,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON November 12, 2019, as follows:

Section 1. That Article I of Chapter 11, Criminal Code, *Code of Ordinances*, adopted July 24, 1989, be and it is hereby amended by the amendment of Section 11-2 to read in its entirety as follows:

Sec. 11-2. - Lodging or camping in vehicles, out-of-doors or in nonresidential zones.

(a) It shall be unlawful for any person to lodge or camp in an automobile, van, truck, camper, trailer, or other vehicle of any kind or nature within the corporate limits of the city or the police jurisdiction thereof, between the hours of 10:00 p.m. and 6:00 a.m., except in licensed or approved mobile home parks or trailer parks or campsites; provided, however, that the provisions of this subsection shall not apply to self-contained units during special annual events at the areas and for the times and purposes specified, such as

the area permitted by the city council for the National Shrimp Festival held annually each October, for the period officially designated by the Alabama Gulf Coast Area Chamber of Commerce, the sponsoring agency.

(b) It shall be unlawful for any person to lodge or camp in any tent or in the open (this being outside of a building/vehicle) within the city or the police jurisdiction thereof, except in the area specifically designated and approved for this purpose, such as campgrounds.

(c) It shall be unlawful for any person to reside, lodge, or camp in any building within any zone in the city not specifically constructed and occupied for residential purposes or for purposes of rentals, such as motels; provided, however, that an owner, operator, or agent, servant or employee of an owner may have living quarters in a retail business establishment, provided such living quarters meet all Code and zoning ordinances of the city and health department requirements, and further provided that this occupancy is limited to one (1) person and members of such person's immediate family and does not include guests, whether interested in the business operation or not. Any person intending to occupy any part of a business establishment, wherever located in the city, as living and/or lodging quarters shall submit to the city clerk an outline showing the name and relationship to the business of the person intending to occupy such living quarters. The names and ages of any members of such person's family who shall occupy the living quarters with the designated person shall be submitted. They shall be submitted to an inspection of the premises by an authorized agent or employee of the city or of the state and a permit in writing shall be obtained from the city for such occupancy.

(d) *Exemptions.* The following shall be exempted from the effect of Section 11-2.

(1) Youth campouts (i.e., children of residents) on any residential zoned lot where a principal occupied structure exists, but not to exceed two (2) consecutive days.

(2) *Lodging or camping* in vehicles as described in Section 11-2(a) shall be allowed on any residential zoned lot where a principal occupied structure exists provided that:

(a) The vehicle is not occupied in excess of fourteen (14) consecutive days;

(b) The vehicle does not emit any unreasonable noise or vibration in violation of state or municipal law;

(c) All sanitary disposals (i.e., gray water) must occur at health department approved sanitary facilities.

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 become effective upon its adoption and publication as required by law.

ADOPTED this 12th day of November, 2019.

Robert Craft, Mayor