

ORDINANCE NO.

**AN ORDINANCE TO AMEND THE *CODE OF ORDINANCES*,
ADOPTED JULY 24, 1989, AT CHAPTER 11, CRIMINAL CODE, ARTICLE I. IN
GENERAL, BY ADDITION OF SECTION 11-9 TO PROHIBIT VIOLATION OF AN ORDER
OF THE STATE HEALTH OFFICER APPLICABLE WITHIN THE CITY OR POLICE
JURISDICTION AND TO PRESCRIBE PENALTIES FOR VIOLATIONS**

WHEREAS, The City of Gulf Shores is a Class 8 Alabama Municipality which has been vested with a portion of the state's sovereign power to protect the public health, safety and general welfare. *Code of Alabama, 1975, §11-45-1*; and

WHEREAS, the City Council finds that the violation by any person of an Order of the State Health Officer applicable within the corporate limits and police jurisdiction of the City of Gulf Shores or any portion of either will compromise the public health, safety, and general welfare of the City's citizens and visitors; and

WHEREAS, the City Council of Gulf Shores Council finds that in order to protect the public health, safety and general welfare it is necessary to prohibit the violation within the corporate limits and police jurisdiction of the City of any Order of the State Health Officer applicable by its terms to the corporate limits or police jurisdiction of the City, or both.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 23, 2020, as follows:

Section 1. That Article I of Chapter 11, Criminal Code of the *Code of Ordinances*, adopted July 24, 1989, be and it is hereby amended by the addition of Section 11-9 to read in its entirety as follows:

“Sec. 11-9 -- VIOLATION OF ORDER OF THE STATE HEALTH OFFICER APPLICABLE WITHIN CITY OR POLICE JURISDICTION PROHIBITED.

(a) Definitions. As used in this section, the following terms have the indicated meanings:

Order of the State Health Officer means a lawful Order issued by the State Health Officer on behalf of the State Board of Health that by its terms is applicable and in effect within the corporate limits and police jurisdiction of the City or any portion of either.

(b) It shall be unlawful for any person to knowingly violate, or knowingly fail, neglect or refuse to comply with, an Order of the State Health Officer within the corporate limits or police jurisdiction of the City of Gulf Shores.

(c) Any person violating this section shall be guilty of an offense and upon conviction, shall be punished for each offense by a fine of not more than five hundred dollars (\$500.00), imprisonment for a period not exceeding six (6) months, or both.

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.

ADOPTED this 23rd day of March, 2020

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 March 23, 2020 and the same was duly published as required by law.

City Clerk