

ORDINANCE NO. 2023-xxxx

**AN ORDINANCE AMENDING CHAPTER 54 OF THE
CODE OF ORDINANCES FOR THE CITY OF ORANGE BEACH, ALABAMA,
TO ADD A NEW ARTICLE V ENTITLED
“DISORDERLY AND PROHIBITED CONDUCT ON BALCONIES”**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORANGE BEACH, ALABAMA, AS FOLLOWS:

1. That Chapter 54 of the Code of Ordinances for the City of Orange Beach is hereby amended to add a new Article V entitled, “Disorderly and Prohibited Conduct on Balconies,” to read as follows:

Sec. 54-____. - Findings.

- (a) The City of Orange Beach is a unique island resort that is a tourist destination visited by thousands who stay in condos and hotel accommodations throughout the City;
- (b) Many, if not all of the condominium units and hotel rooms feature balconies where visitors can enjoy the sea breezes and a view of the Gulf of Mexico or of the tourist corridors where visitors tend to cruise and congregate while enjoying the sounds of the surf and salt air;
- (c) The City has observed that each year some visitors attempt to jump or climb from balconies, to reach the beach, pool decks below, or to access an adjacent balcony;
- (d) The City finds and determines that climbing and jumping on, over and from balconies is disorderly and dangerous to persons and property and it is in the best interest of the City’s residents and guests that such behavior be prohibited and made unlawful within the City;
- (e) The City further finds that during particularly busy tourist seasons, guests attempt to throw things from balconies and that such behavior endangers the life and property of those in its vicinity and further interferes with other guests enjoying the use of their own balconies; and
- (f) The City finds and determines that throwing things from balconies is disorderly and dangerous to persons and property and it is in the best interest of the City’s residents and guests that such behavior be prohibited and made unlawful within the City.

Sec. 54-____. - Regulations.

- (a) *Jumping on, over and from balconies.* It shall be unlawful for any person to jump on, over or from a vacation rental balcony or to cause another person to jump on, over, or from a vacation rental balcony.
- (b) *Throwing objects from balconies.* It shall be unlawful for a person to throw objects from any vacation rental balcony.

Sec. 54-____. - Penalties.

A person who violates this ordinance shall be guilty of a criminal violation punishable as set out in the Code of City Ordinances.

2. All ordinances, resolutions or parts in conflict with this ordinance, to the extent of such conflict, are repealed; and
3. That this Ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED THIS 4th DAY OF APRIL, 2023.

Renee Eberly
City Clerk

The City Clerk of the City of Orange Beach, Alabama hereby certifies that the foregoing ORDINANCE 2023-xxxx

was posted on _____ in the following three

(3) public places:

Orange Beach City Hall _____

Orange Beach Post Office _____

Orange Beach Public Library _____

Renee Eberly, City Clerk