

ORDINANCE NO. 2020-1350

AN ORDINANCE AMENDING CHAPTER 38 OF THE
CODE OF ORDINANCES FOR THE CITY OF ORANGE BEACH, ALABAMA
TO PROHIBIT VIOLATION OF AN ORDER OF THE STATE HEALTH OFFICER
APPLICABLE WITHIN THE CITY OF ORANGE BEACH OR ITS POLICE JURISDICTION
AND TO PRESCRIBE PENALTIES FOR VIOLATIONS

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

1. That Chapter 38 of the Code of Ordinances for the City of Orange Beach is hereby amended to read as follows:

Sec. 38-1. – Findings/purpose.

- (a) Orange Beach is an Alabama municipality that has been vested with a portion of the state's sovereign power to protect the public health, safety and general welfare. *Ala. Code* §11-45-1.
- (b) Persons who violate an Order of the State Health Officer applicable within the corporate limits and police jurisdiction of Orange Beach will compromise the public health, safety, and general welfare of the citizens and visitors of the city.
- (c) The purpose of this ordinance is to protect the public health, safety and general welfare by prohibiting violations of any Order of the State Health Officer applicable by its terms to the corporate limits or police jurisdiction of the City, or both.

Sec. 38-2. – Violation of an order of the State Health Officer applicable within the city or its 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 Orange Beach.
- (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.

Sec. 38-3. – Smoking in city buildings.

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 All ordinances or parts of ordinances in conflict are to the extent of such conflict repealed.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

ADOPTED THIS 20th DAY OF MARCH, 2020.



Renee Eberly
City Clerk

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The City Clerk of the City of Orange Beach, Alabama hereby certifies that the foregoing ORDINANCE 2020-1350 was posted on 03/20/2020 in the following three

(3) public places:

Orange Beach City Hall _____

Orange Beach Post Office _____

Orange Beach Public Library _____



Renee Eberly, City Clerk