

ORDINANCE NO. 74-A

**AN ORDINANCE TO AMEND ORDINANCE NO. 74
OF THE TOWN OF DAUPHIN ISLAND, ALABAMA
RELATING TO PROHIBITING OR RESTRICTING PARKING IN SPECIFIED PLACES.**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAUPHIN ISLAND, ALABAMA, AS FOLLOWS:

WHEREAS, The Town of Dauphin Island finds and declares that it is necessary for the protection of health, safety, comfort and welfare of the general public and the inhabitants of the Town that rules and regulations be established for the purpose of regulating the standing or parking of motor vehicles at specified places.

Section 1. Towing or booting of illegally parked vehicles.

Any vehicles illegally parked or standing in violation of Ordinance 74-A, in designated beach parking areas, public rights-of-way or municipally owned parking areas shall be subject to towing or booting at the owner's expense upon the direction of the Chief of Police or his designee.

Section 2. Definitions.

As used in this ordinance:

- (a) *Beach parking area* means the following public rights-of-way and municipally-owned parking areas:
 - (1) West End Beach
 - (2) Middle Beach
 - (3) East End Beach
 - (4) Other designated areas as posted
- (b) *Beach parking season* means such period or periods as may be designated from time to time by the town council.
- (c) *Beach parking hours* means such hours occurring during a beach parking season as may be designated from time to time by the town council.
- (d) *Hours of entry for parking only* means beach parking hours during which vehicular access to any designated portion of the beach parking area is limited to entry solely for the purpose of parking: Such hours as shall be designated on any day by the Chief of Police or designee by notice posted at the affected portion of the beach parking area, such designation to be made when, in the judgment of the Chief of Police or designee, vehicular access to the

affected portion of the beach parking area should be limited to entry solely for the purpose of parking in order to prevent or alleviate traffic congestion in the beach parking area.

(e) *Beach parking permit* means:

(1) An hourly, daily, or seasonal nontransferable permit/decal issued to a vehicle by the city at the beach parking area during the beach parking seasons upon payment of the appropriate daily or seasonal beach parking fee; or

(2) A valid decal issued by the Town of Dauphin Island for re-entry to zones and districts within the corporate limits, affixed to the rear windshield, driver's side.

(3) An hourly and daily nontransferable permit shall expire at 12:01 a.m. on the day following the day of its issuance. Seasonal passes expire at 12:01 a.m. on January 1 of the following year of issuance.

(f) *Annual beach parking pass* means: A valid Town of Dauphin Island decal issued by the Town on an annual basis. No beach parking fee shall be charged to any vehicle with a valid Town of Dauphin Island decal permanently affixed to the rear windshield, driver's side.

(g) *Beach parking fee* established by the town council and administered by the appropriate staff fixing the amounts of the beach parking fee or decals for the duration of the time period or periods specified and establishing such other applicable policies as may be determined by the council.

(h) *Reserved.*

(i) *Restricted decal only parking area* means an area within the beach parking area that may be designated from time to time by the Chief of Police or his designee in his discretion and marked by appropriate signage for parking only by vehicles displaying a current Town of Dauphin Island decal.

(j) *Town of Dauphin Island decal* means a decal issued from time to time by the Town of Dauphin Island to residents and property owners in the Town of Dauphin Island and seasonal decal allowing free parking at designated public parking areas.

Section 3. Unlawful to park in beach parking area without permit during certain hours or to park without a Town of Dauphin Island decal in a restricted decal only parking area at any time.

a) It shall be unlawful for any person to park any vehicle or motor driven cycle subject to his or her ownership or control in the beach parking area during beach parking hours without paying a beach parking fee, or having a valid Town of Dauphin Island decal affixed to the rear windshield, driver's side.

(b) It shall be unlawful for any person to park any vehicle or motor driven cycle subject to his or her ownership or control that lacks a current Town of Dauphin Island decal affixed to the rear windshield, driver's side, in a marked restricted decal only parking area at any time.

Section 4. Unlawful to enter beach parking area except to park during certain hours.

It shall be unlawful for any person to drive any vehicle or motor-driven cycle onto the beach parking area during hours of entry for parking only except for the purpose of lawfully parking such vehicle or cycle in the beach parking area or on private property abutting the beach parking area; provided, however, that this provision shall not apply in the case of police, fire, emergency and town-operated vehicles when employed for police, fire, emergency, or operation and maintenance functions.

Section 5. Parking inspections

The Mayor may authorize the employment or appointment of a sufficient number of parking inspectors to ensure proper enforcement of the provisions of this ordinance under the supervision of the Chief of Police. Such parking inspectors shall not be law enforcement officers or peace officers within the meaning of the state law and shall not have authority as officers of the town to make arrests. Such parking inspectors shall be authorized to post notices on illegally parked vehicles, affix/remove booting, and provide general information to the public.

Section 6. Fines for offenses; vehicles in violation subject to towing or booting.

- (a) Cost of (\$50.00) shall be taxed for each boot installed on an illegally parked vehicle.
- (b) Any vehicle parked in violation of Ordinance 74-A shall be subject to towing or restraint by booting upon the direction of the Chief of Police or his designee.

ADOPTED by the Town Council of the Town of Dauphin Island, this the _____ day of _____, 2024.

Jeff Collier, Mayor

ATTEST:

Wanda Sandagger, Town Clerk