

ORDINANCE NO. 2019-xxxx

**AN ORDINANCE AMENDING CHAPTER 70, ARTICLE II, SECTION 70-22
OF THE CODE OF ORDINANCES FOR THE CITY OF ORANGE BEACH, ALABAMA,
TO REDUCE THE SPEED LIMIT FROM 25 MPH TO 15 MPH ON RESIDENTIAL STREETS
AT TIGER BROWN AVENUE AND NANA BROWN DRIVE**

FINDINGS:

1. Code of Alabama *When local authorities may and shall alter maximum limits* (Acts 1980, No. 80-434, p. 604, §8-104; Acts 1985, 2nd Ex. Sess., No. 85-998, p. 366, §2; Acts 1994, No.94-617, p. 1147, §2) authorizes state and/or local government authorities to decrease the speed limit at intersections or on any street, unpaved road, or highway under the jurisdiction and control of any county commission.

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

1. That Chapter 70, Article II, Section 70-22 of the Code of Ordinances for the City of Orange Beach is hereby amended to read as follows:

Sec. 70-22. - Speed limits.

- (a) *Definitions.* For the purposes of this ordinance the following words or terms shall have the respective meanings ascribed to them:

- (1) Business/Commercial Street—Any street or road located in any part of the town zoned as business, commercial or industrial, whose speed limit shall be the same as a residential street.
- (2) Collector Street/Thoroughfare Street—Any street located in the designated Urban Zone of the town which serves as a primary conduit for vehicular traffic entering or leaving a particular subdivision or area, and on to which intersecting secondary streets or roads conduct vehicular traffic, or that serves as a primary conduit of traffic from one area of the town to another traversing a subdivision, subdivisions or areas, and for which an increased speed limit may be justified.
- (3) Non-Standard Street—Any public street located within the Urban Zone of the town, whose clear roadway width is less than 20 feet or whose surface condition, road course, character, or surrounding conditions are such that the speed limit generally set for residential or business streets might be too high for safe vehicle operation.
- (4) Residential Street—Any street or road located in any part of the town zoned as residential.
- (5) Secondary Street—Any residential or business/commercial street which does not serve as a collector or thoroughfare street for a subdivision or area, but primarily serves the residents or businesses on that particular street.
- (6) Urban Zone—That area of the town that is inclusive of the entire municipal limits.

- (b) *Reasonable and prudent speed.* No person shall operate a vehicle at a speed greater than is reasonable and prudent under the existing conditions and having regard for actual, potential, or special hazards that may exist due to pedestrians, other traffic or by reason of weather or roadway conditions, regardless of the posted or authorized speed limit.

(c) *Maximum limits.* Except when one of the hazardous conditions as stated in subsection (2) exists, which requires a lower speed, the limits hereinafter specified or established shall be maximum lawful speeds, and no person shall operate a vehicle at a speed in excess of such maximum limits.

(1) No person shall operate any vehicle on any business/commercial or residential street in the Urban Zone of the Town of Orange Beach at a speed greater than 25 miles per hour, except as provided herein.

(2) No person shall operate any vehicle on:

- a. State Highway 161 within the urban zone of the Town of Orange Beach at a speed greater than the speed limit posted by the state highway department, currently 45 miles per hour.
- b. State Highway 180 within the urban zone of the Town of Orange Beach at a speed greater than 55 miles per hour, or as otherwise posted by the state highway department.
- c. State Highway 182 within the Urban Zone of the Town of Orange Beach at a speed greater than 45 miles per hour, or as otherwise posted by the state highway department.

1. No person shall operate a motor vehicle at a greater speed than 35 miles per hour on State Highway 182 from Milepost 16.80 to Milepost 17.08 (Florida line).

d. The following collector or thoroughfare streets at a speed greater than 35 miles per hour:

1. Gulf Bay Road, north from Highway 180 to the 90 degree turn to the west.
2. Marina Road, east from Highway 161 to the entrance to the Gulf State Park Boggy Point Boat Launch.

e. The following non-standard streets at a speed greater than 15 miles per hour:

1. Dowty Lane;
2. Gulf Beach Drive;
3. Illinois Street;
4. Indiana Street;
5. Jubilee Point Road;
6. Look Rook Road;
7. Michigan Street;
8. Moses Road;
9. Nana Brown Drive;
10. Perdido Avenue West;
11. Polaris Street;
12. Tiger Brown Avenue.

f. The following residential streets at a speed greater than 20 miles per hour:

1. Pine Boulevard;
2. Pine Way;
3. Caribe Drive;
4. Lianna Court;

- 5. Lexmark Court;
- 6. Majestic Court.

- (d) *Establishment of speed zones.* Whenever the director of public safety and the director of public works of the Town of Orange Beach, with the approval of the mayor, shall determine upon the basis of engineering or traffic studies, that the speed limit of any street within the jurisdiction of the town should be altered in order to ensure the safety of its citizens or to facilitate the free flow of traffic, they shall present such as a recommendation to the town council who shall set the speed limit in accordance with the categories set out in this section.
- (e) *Posting of recommended speed limits.* The director of public works is hereby authorized to post recommended speed limits in conjunction with road hazard signs as recommended speeds for curves, hills, intersections, children at play, and other hazards that arise provided that such recommended speed limit posting be in accordance with the uniform traffic control and marking manual utilized by the state highway department. Such speed limits shall be strictly advisory in nature and shall not obligate the operator of a vehicle to reduce his speed below what is reasonable and prudent.
- (f) *Violation a misdemeanor.* Any person, firm or corporation violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction may be fined not less than one dollar nor more than \$1,000.00, imprisoned in the municipal jail for a period of time not to exceed six months, or both.

- 2. That this Ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED THIS 20th DAY OF AUGUST, 2019.

Renee Eberly
City Clerk

The City Clerk of the City of Orange Beach, Alabama hereby certifies
that the foregoing **ORDINANCE 2019-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