

ORDINANCE NO. 2025-1497

**AN ORDINANCE AMENDING CHAPTER 2, ARTICLE V, DIVISION 3, SECTION 2-242
OF THE CODE OF ORDINANCES FOR THE CITY OF ORANGE BEACH, ALABAMA
TO REMOVE RESIDENCY REQUIREMENTS FOR THE
PLANNING COMMISSION'S ADMINISTRATIVE OFFICIAL SEAT**

FINDINGS:

1. Per the requirements of Ala. Code § 11-52-3, the City's Planning Commission is made up of nine members: the Mayor, an administrative official of the municipality selected by the Mayor, a member of City Council selected by the Council, and six others appointed by the Mayor.
2. Chapter 2, Article V, Division 3, Section 2-242 of the City's Code of Ordinances, addressing the creation of the Planning Commission, states that "all members must reside in the corporate limits or the designated planning jurisdiction of the city." This requirement was created with the intent that it would strengthen the members' obligation to act within the best interest of the City.
3. City Council wishes to remove the residency requirement as it applies to the Mayor-appointed administrative official seat. Administrative officials of the City already operate under an obligation through their primary position with the City to act in its best interest. The purpose of the administrative official seat is to provide insight and represent the interests of the functions of the City with an applied knowledge of the policies and procedures of the various departments of the City. The residency requirement as it applies to this position may create an unnecessary limitation upon the ability of the Mayor to utilize the most skilled and informed personnel among City staff. The obligation to act in the best interests of the City is placed upon all employees by virtue of staff status; therefore, the residency requirement has no benefit in the position as it relates to appointment of a City employee to the Planning Commission.
4. Having reviewed the recommended amendments, the City Council has determined that amending Sec. 2-242 titled, "Creation", to remove the residency requirement for the Mayor-appointed municipal administrative official seat is in the best interest of the City of Orange Beach, Alabama

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

1. That Chapter 2, Article V, Division 3, Section 2-242, subsection (c) of the Code of Ordinances for the City of Orange Beach, Alabama, is amended to read as follows:
 - (c) The membership and terms of office are those specified in the aforementioned Code of Alabama, with the additional requirement that all members must reside in the corporate limits or the designated planning jurisdiction of the city with the exception of the Mayor appointed administrative official of the municipality.
2. That all ordinances, resolutions, or parts in conflict with this ordinance, to the extent of such conflict, are hereby repealed to the extent of such conflict; and
3. That this Ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED THIS 4th DAY OF FEBRUARY, 2025.



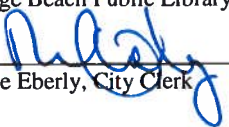
Renee Eberly
City Clerk

The City Clerk of the City of Orange Beach, Alabama hereby certifies
that the foregoing ORDINANCE 2025-1497
was posted on 2/6/2025 in the following three
(3) public places:

Orange Beach City Hall _____

Orange Beach Post Office _____

Orange Beach Public Library _____



Renee Eberly, City Clerk