

**CITY OF DAPHNE
CITY COUNCIL WORK SESSION AGENDA
1705 MAIN STREET
DAPHNE, AL
JUNE 13, 2016
6:30 P.M.**

- 1. DISCUSS: LAKE FOREST MARINA BOAT LAUNCH**
- 2. DISCUSS: REGULATING ATV'S IN THE CITY OF DAPHNE**
- 3. DISCUSS ANYTHING ELSE DEEMED NECESSARY**
- 4. ADJOURN**



May 20, 2016

Mayor Dane Haygood
City Council
City of Daphne
P. O. Box 400
Daphne, Alabama 36526

RE: Yacht Club Project

Dear Mayor and City Council:

As President of the Lake Forest Property Owners' Association, Inc., ("LFPOA"), I am writing to you to let you know that the LFPOA Board looks forward to working with the City on the joint project at the Marina. We understand that there are numerous details that will need to be addressed as this progresses, and the purpose of this letter is simply to acknowledge that we are interested in further deliberation.

We have had success working together before and much mutual trust has been established. The LFPOA Board believes that the positive relationship will continue as we discuss this project.

Feel free to contact me, Lake Forest General Manager Rob Wright, and/or the Board's attorney, Patrick Collins (445-5849), as needed.

Thank you for your kind attention to this matter.

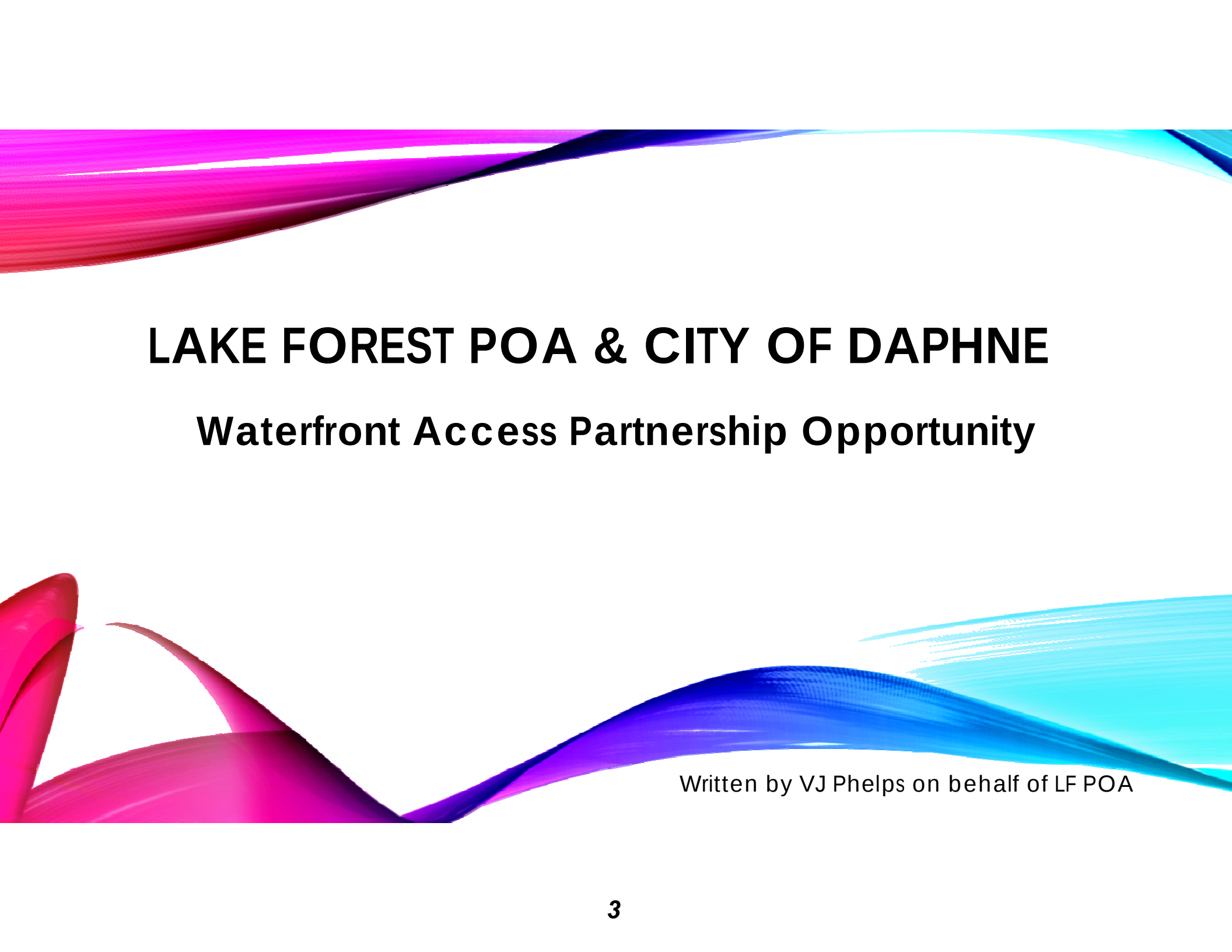
Sincerely yours,

Lake Forest Property Owners' Association, Inc.



By: Steve Sasser, President
Board of Directors

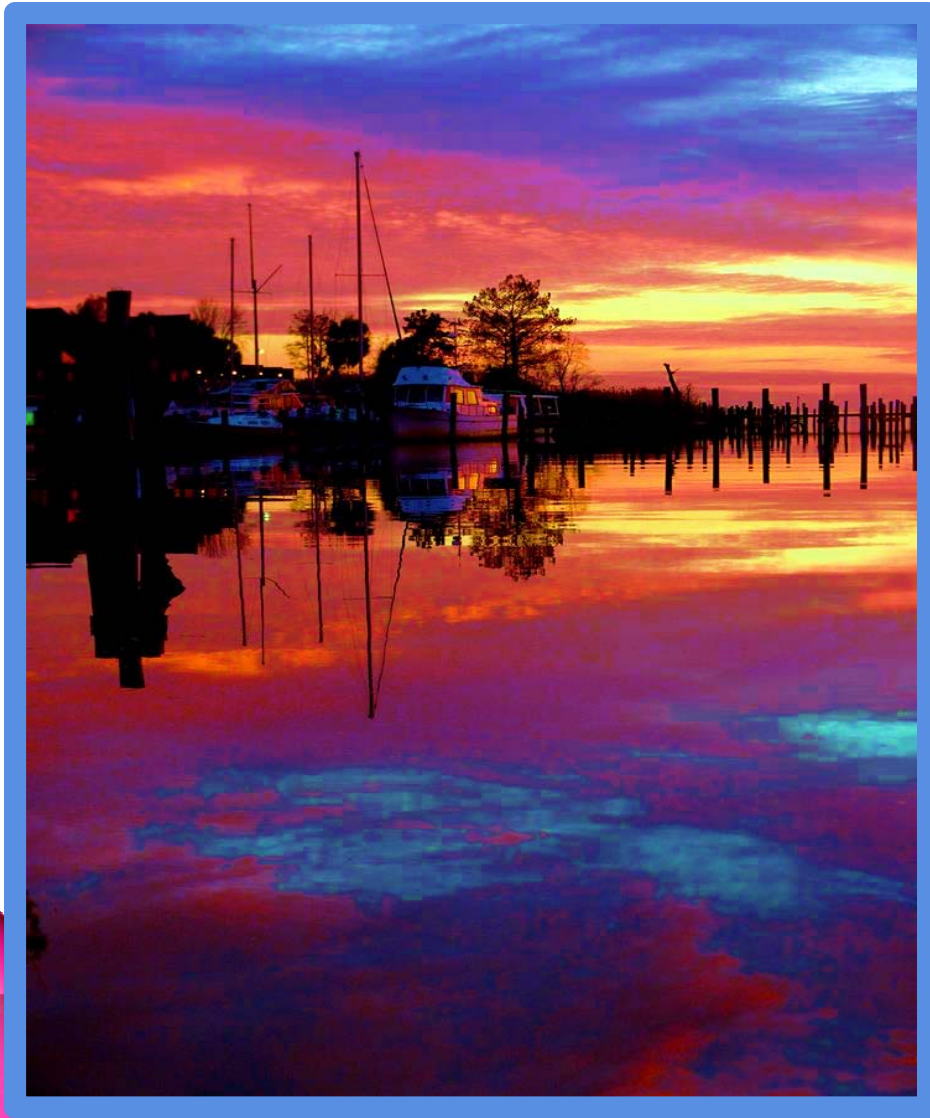
cc: LFPOA Board Members
Patrick Collins, Esq.



LAKE FOREST POA & CITY OF DAPHNE

Waterfront Access Partnership Opportunity

Written by VJ Phelps on behalf of LF POA

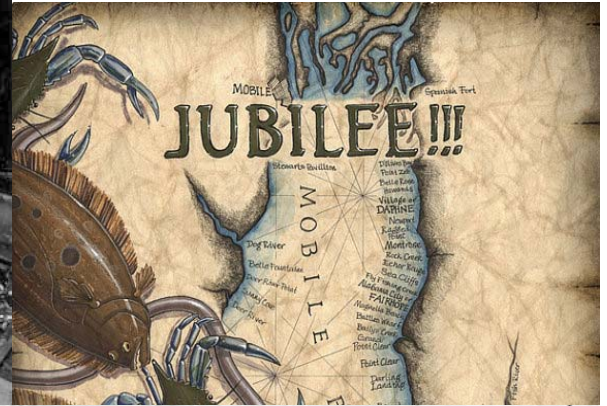


OUR GOAL

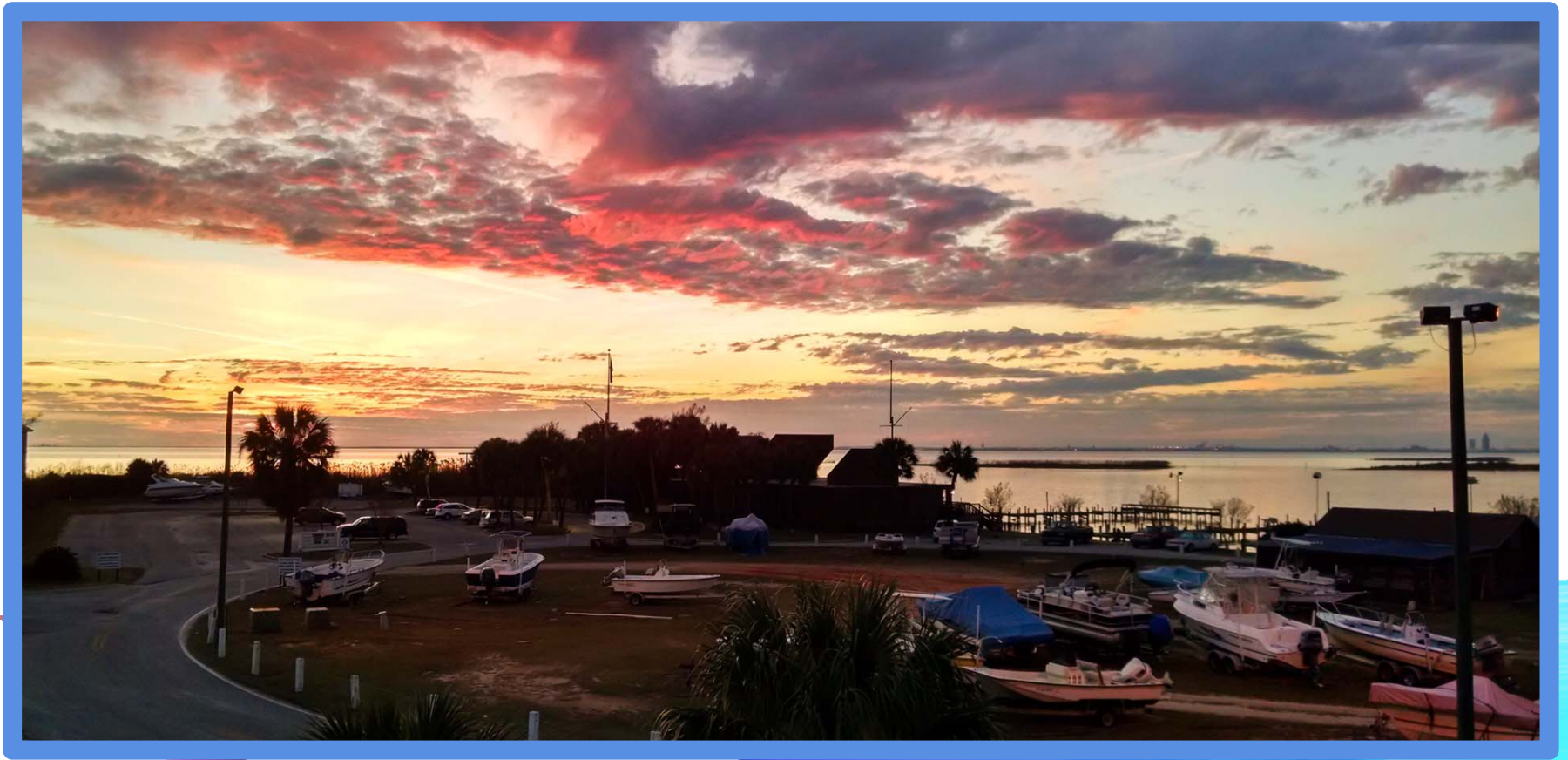


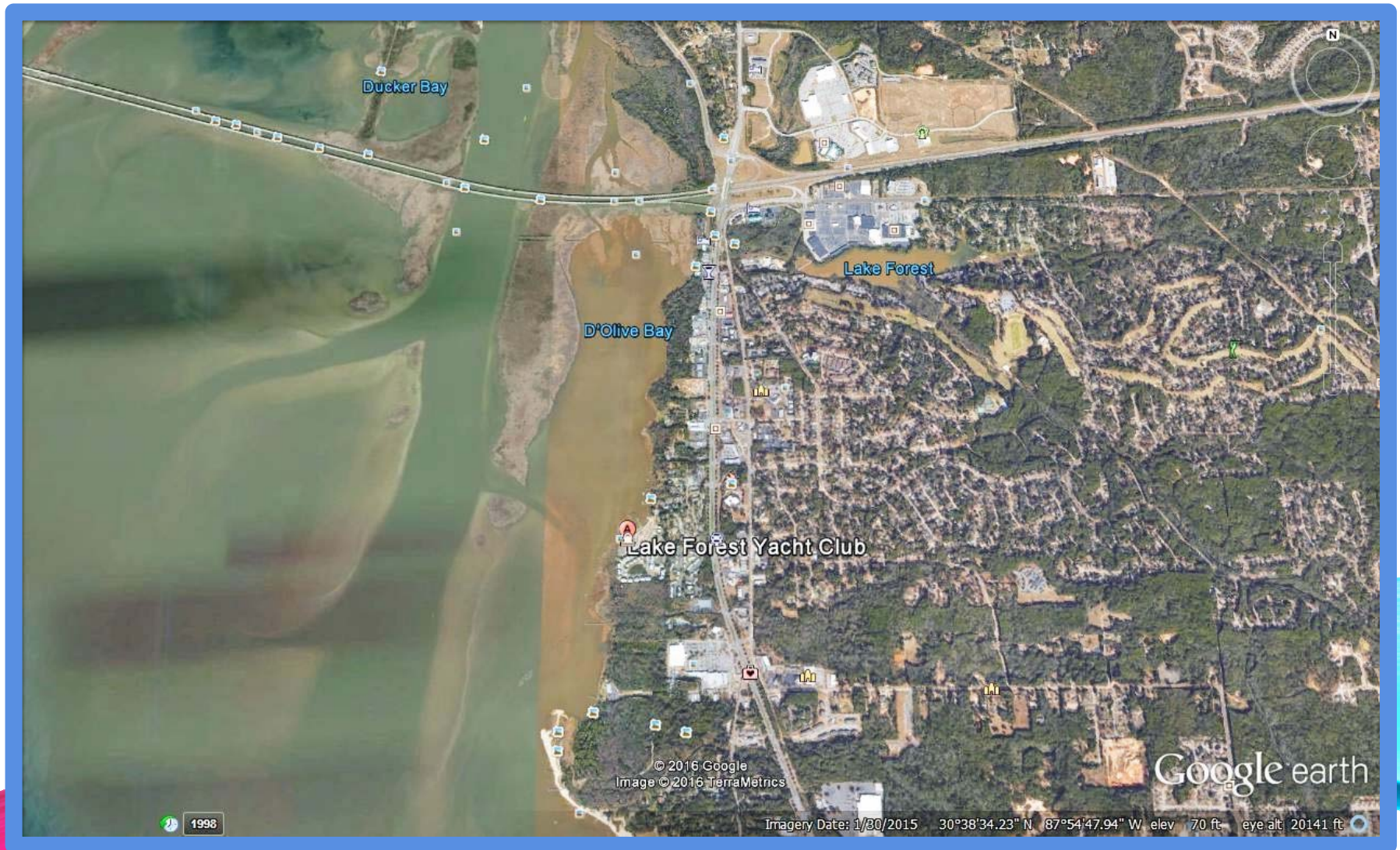
- *To forge a long standing mutually beneficial relationship between the Lake Forest Property Owner's Association and the City of Daphne that would improve waterfront access to Mobile Bay as well as enhance the associated property.*

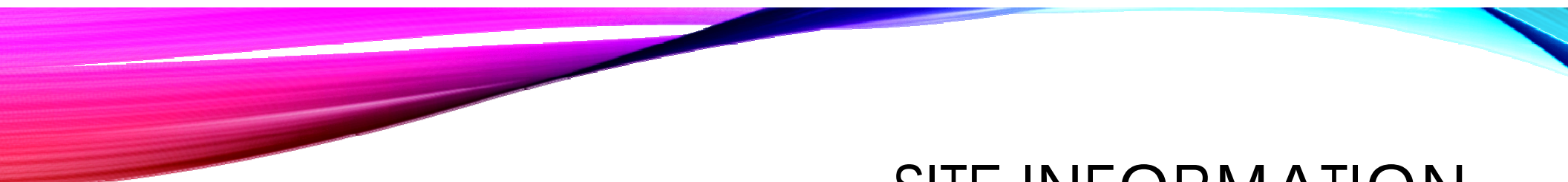












SITE INFORMATION

- Total Waterfront Area 6.22 Acres
- Total Area defined by City for use .92 Acres
- Site was originally developed in late 1960's early 1970's
- Single lane access from Highway 98 from Yacht Club Drive
- LF POA Operates Dry Boat Slips, Dining Facility, Marina Shack & Boat Ramp
- LF POA Operates Wet Boat Slips with several live a-board residents
- Wet Slips and Docks (A, B, C, & D) are limited due to past Hurricane damage
- Water access to Mobile Bay restricted due to sediment buildup in channels
- Existing 250 LF Bulkhead and Drain Pipe Structure Ends are damaged
- Dining Facility, Marina Shack and Parking Area are in need of updating





RELATIONSHIP EXPECTATIONS

- Improved boating safety and improved marine rescue response time
- Site improvement to boat ramp, pier and addition of kayak launch
- Waterfront shoreline enhancements from boat ramp to A - Dock
- Site improvement to parking area with fence to divide public and private areas
- LF POA would reconfigure dry slip area to accommodate 14 temp parking stalls
- LF POA requests to be compensated for loss of revenue for 14 dry boat slips
- Funds provided to LF POA will be utilized reinvested on site
- Dredging Grant options will be explored to improve draft water access to Mobile Bay
- Yacht Club Drive road access to be improved which would aid local residents
- Marine Gas tank relocation feasibility to be determined
- LF POA to improve Yacht Club and Marina operations
- Improve channel markings for boater safety
- Improve recreational opportunities for fishing, boating, birdwatching and kayaking





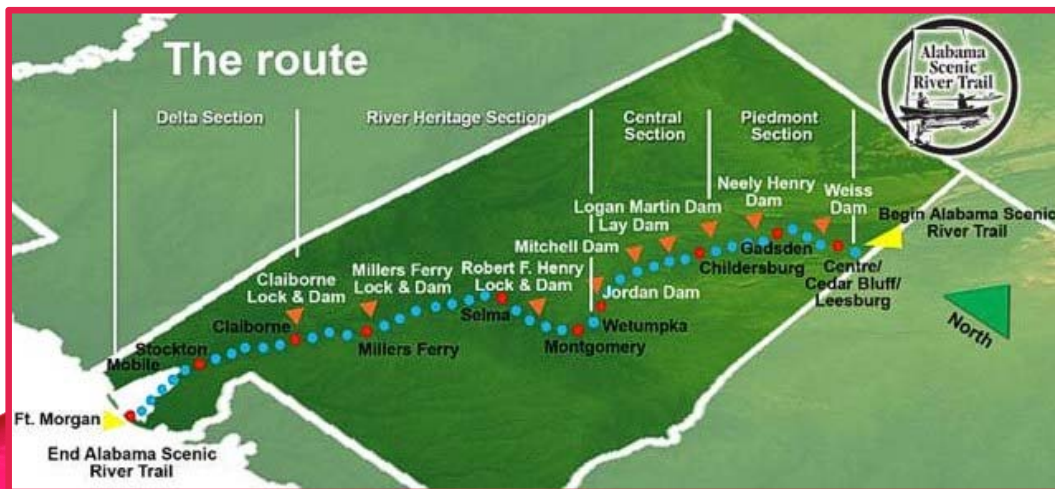








Possible Future Additions





Lake Forest POA Board-Members

Steve Sasser – President
Victoria J. Phelps – Vice President
Mary Ann Hampton – Treasurer
David Dueitt – Secretary
Art Anderson – Sargent at Arms
Richard kersey – Member at Large
Ed Kirby – Member at Large
Tonya Halterman – Member at Large
Dave Sumner – Member at Large



GM Rob Wright Vision Golf





CITY OF DAPHNE - PUBLIC WORKS

PROJECT:	LAKE FOREST BOAT RAMP		
DATE:	5/2/2016	DWG BY:	R.D. JOHNSON

REPLACE EXISTING
RAMP PIER WITH
NEW PT (8' WIDE)

RESURFACE
CONCRETE
BOAT RAMP

NEW KAYAK
LAUNCH

SINGLE VEHICLE
OFF-STREET
PARKING

VEHICLE &
TRAILER
PARKING

FENCE PERIMETER
GATE AT ROAD FOR
LFPOA MEMBERS

40.0
10.0



Sec. 15-5. - Volanta Avenue Park, operation of vehicles.

(a) Definitions. For purposes of this section, the following terms shall be defined as follows:

Lands affected: Recreational lands of the city, lying north of Volanta Avenue and west of Greeno Road, known as Volanta Municipal Recreation Park.

Wheeled vehicle: Any device designed, intended and used for the purpose of transporting one (1) or more persons over land, whether or not such vehicle is motorized; includes all rider-propelled devices.

Motor vehicle: Any wheeled vehicle which is powered by a hydrocarbon or electric powered engine and which is designed, intended and used for the transport of persons or goods over land; includes passenger vehicles, trucks, mopeds, and motorcycles, which are licensed for operation on public streets.

Recreational vehicle: Any device propelled by a hydrocarbon or electric powered engine for recreational use, which term shall include all go-karts, three-wheelers, four-wheelers, dirtbikes and similar type devices, whether or not licensed for public street use.

Rider-propelled vehicle: Any device propelled by the action of the rider; includes roller skates, skateboards of whatever type or design, and similar type devices.

(b) Prohibited vehicles. During the hours the park is closed, use of all vehicles, except bicycles, is prohibited within or upon the park lands. Use of recreational vehicles and rider-propelled vehicles, except bicycles, is prohibited at all times, whether or not the park is open. Provided, however, that city owned vehicles or those of city contractors shall be permitted access necessary for ordinary maintenance and operation of the park facilities.

(c) Restricted operation. During the hours the park is open, the operation of motor vehicles upon the access roads and parking areas is permitted subject to the city's traffic control.

(d) Penalties for violations. Any person operating any wheeled vehicle upon the park lands in violation of any provision herein shall be subject to arrest for violation of this section and, upon conviction of a first offense, shall be subject to a fine of not less than two hundred dollars (\$200.00), or a jail sentence of not less than ten (10) days, or both at the discretion of the municipal court. Second or subsequent convictions shall carry a fine of not less than two hundred dollars (\$200.00), nor more than five hundred dollars (\$500.00), and a jail sentence of not less than thirty (30) days nor more than six (6) months.

Where the violator is a juvenile as defined by the Code of Alabama, 1975, the parent(s), guardian, or person having lawful charge or custody of the juvenile shall be subject to the fines and sentences provided hereinabove.

(e) Exception. The provisions of this section shall not apply to vehicles of persons with physical disabilities.

(Ord. No. 1006, §§ 1—5, 2-24-97)

Sec. 15-6. - Rules and regulations for recreation areas.

- (a) *Applicability.* This section shall apply in all parks and recreation areas that have athletic fields under the jurisdiction of the City of Fairhope. As used in this section, the term "person" includes natural person, firms, and corporations. Violators may be removed from the park.
- (b) *Rules and regulations for all parks and recreation areas including athletic fields.*
 - (1) No animals shall be permitted on the playing surface of any athletic fields.
 - (2) The owner or person having custody of animals within the park shall be responsible for removal of any animal solid waste (see chapter 5).
 - (3) All animals must be leashed (see chapter 5).
 - (4) No littering.
 - (5) No glass containers.
 - (6) No golf carts.
 - (7) No golfing in the parks or on any athletic fields.
 - (8) No profanity or vulgarity.
 - (9) No smoking (see section 8-138.5).
 - (10) No weapons or controlled substances allowed in a recreational park.
 - (11) No alcoholic beverages.
 - (12) No bicycles or skateboards during scheduled activities with the exception of the Fairhope Skate Park.
 - (13) No coolers allowed at scheduled athletic events.
 - (14) Park at your own risk.

(Ord. No. 1470, §§ I, II, 5-29-12)

Editor's note— Ordinance No. 1470, adopted May 29, 2012, did not specifically amend this Code and has been included herein as § 15-6 at the discretion of the editor.

Sec. 15-8. - Same—Exemptions.

- (1) Nonprofit organizations will pay fifty (50) percent of all rental and cleaning fees; however, they will be responsible for security, any damages, and any incidentals (table cloths, use of piano, etc.). Organizations must show proof of being recognized as a "nonprofit" by the Internal Revenue Service.
- (2) The Fairhope Public Schools may use the Nix Center, the Civic Center, and streets and parks for no charge with a written request from the principal and approval by the facility manager. Fees for incidentals or any damages will still apply.

(Ord. No. 1486, § II, 2-25-13)

Note— See the editor's note to § 15-8.

Sec. 15-9. - Law enforcement requirements.

Law enforcement personnel is required for any event where alcohol is present, any school function or when deemed necessary by the facility or event manager. The number of required law enforcement personnel and any other law enforcement requirements will be determined by the city police department.

(Ord. No. 1486, § III, 2-25-13)

Note— See the editor's note to § 15-8.

CITY OF BAYOU LA BATRE

ORDINANCE NO.: 2011-003

AN ORDINANCE TO AMEND ORDINANCE NO. 2002-469 REGULATING OPERATION OF MOTORIZED VEHICLES ON TRESSPASSED PRIVATE PROPERTY, PUBLIC PROPERTY, AND RIGHT-OF-WAYS WITHIN THE CITY OF BAYOU LA BATRE, ALABAMA AND ITS POLICE JURISDICTION

WHEREAS, The Mayor and City Council of the City of Bayou La Batre enacted Ordinance Number 2002-469 on June 11, 2002; and

WHEREAS, the Mayor and City Council have determined it is necessary to amend said ordinance to ensure the health, safety and welfare of its citizens; and

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF BAYOU LA BATRE** as follows:

Section One shall be amended to read as follows in its entirety:

SECTION ONE: UTILIZATION OF OFF-ROAD VEHICLES

It shall be unlawful for any person to ride or operate in any manner, any motor driven cycle, all terrain vehicle (ATV), off-road vehicle, recreational vehicle, or go-cart, on any trespassed private property, public property and/or public right-of-way in the city limits or police jurisdiction of the City of Bayou La Batre.

SECTION TWO: AMENDMENT TO SECTION FOUR

Section Four shall be amended to read as follows in its entirety:

SECTION FOUR: PENALTY

- (a) Any person found guilty of violating any provision of this ordinance shall be punished by a fine of not less than \$50.00 nor more than \$500.00 or imprisonment, for a period not exceeding six (6) months, or both, in the discretion of the municipal judge.
- (b) Any motorized vehicle violating this ordinance shall be towed to an impound yard at owner's expense
- (c) The operator of said motorized vehicle shall be issued a Municipal Citation for Careless Driving.

SECTION THREE: REPEALER

That any Ordinance or parts of any Ordinance conflicting with the provisions of this Ordinance are repealed insofar as they conflict.

SECTION FOUR:

All other terms and conditions of Ordinance 2002-469 so expressly amended herein shall remain the same.

SECTION FIVE: SEVERABILITY

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence or part thereof shall be held unconstitutional on a ballot, such decision shall not affect or impair the remainder of this ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence or part thereof separately and independently of each other.

SECTION SIX: EFFECTIVE DATE

This Ordinance shall become effective and be in force from and after the date of its approval adoption by the Mayor and City Council of the City of Bayou La Batre and publication as required by law.

APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BAYOU LA BATRE, ALABAMA, THIS THE 26TH DAY OF MAY, 2011.

CITY OF BAYOU LA BATRE

STAN WRIGHT, MAYOR

ATTEST:

DONNA H. GAINEY, CITY CLERK

STATE OF ALABAMA)
COUNTY OF MOBILE)

I, DONNA H. GAINEY, City Clerk of the City of Bayou La Batre, Alabama, do hereby certify the foregoing to be a true and exact copy of an Ordinance approved and adopted by the City Council of the City of Bayou La Batre, Alabama, at its meeting held on the _____ day of May, 2011.

DONNA H. GAINEY, CITY CLERK

CITY OF BAYOU LA BATRE

ORDINANCE NO.: 2002-469

AN ORDINANCE REGULATING OPERATION OF MOTORIZED VEHICLES ON PRIVATE PROPERTY WITHIN THE CITY OF BAYOU LA BATRE, ALABAMA

WHEREAS, the City Council of the City of Bayou La Batre desires to protect, preserve and promote the health, safety, welfare and peace for the citizens of Bayou La Batre through the reduction, control and prevention of race tracks and excessive and unreasonable noise emitted from off-road vehicles and;

WHEREAS, the City Council of the City of Bayou La Batre desires to establish standards that will eliminate or reduce unnecessary and/or excessive noise which is detrimental to the quite enjoyment of life and property to the citizens of the City of Bayou La Batre.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BAYOU LA BATRE that the following conduct and activities shall be unlawful within the city limits or police jurisdiction of the City of Bayou La Batre.

SECTION ONE: UTILIZATION OF OFF-ROAD VEHICLES

It shall be unlawful for any person to ride or operate in any manner, any motor drive cycle, all terrain vehicle (ATV), go-cart, dune buggy or moped on any private property not dedicated for public use in excess of ten (10) miles per hour in the city limits or police jurisdiction of the City of Bayou La Batre.

SECTION TWO: RACE TRACKS AND COURSES PROHIBITED

It shall be unlawful for any person, firm, corporation or any other entity to construct, maintain, operate and/or utilize any race track, trail, course whether for profit or not for profit for any purpose within the city limits or police jurisdiction of the City of Bayou La Batre.

SECTION THREE: LOUD DISTRIBUTING OR UNNECESSARY NOISE PROHIBITED

- (a) It shall be unlawful to discharge into the open air, exhaust from any internal combustion engine or any motorized vehicle whether on private or public property except through a muffler or other factory sound lessening device in good working order and in constant operation. The sound therefrom shall

not be plainly audible outside a radius of five hundred (500) feet.

- (b) The use or operation of any motorcycle or internal combustion engine of any motorized vehicle on private property of public property, whether or not dedicated to public use which is plainly audible outside a radius of five hundred (500) feet when the vehicle is being operated on the public highway or private property dedicated to public use.

SECTION FOUR: PENALTY

- (a) Any person found guilty of violating any provision of this ordinance shall be punished by a fine of not less than \$50.00 nor more than \$500.00 whereby imprisonment, for a period not exceeding six (6) months, or both, in the discretion of the municipal judge.
- (b) This ordinance shall be subject to enforcement by the issuance of a summons and a Municipal Offense Complaint pursuant to the provisions of Ordinance 375 as the same may, from time to time, be amended.

SECTION FIVE: SEVERABILITY

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence or part thereof shall be held unconstitutional on a ballot, such decision shall not affect or impair the remainder of this ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence or part thereof separately and independently of each other.

SECTION SIX: REPEALED

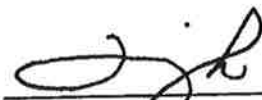
That Ordinance 2002-468 is expressly repealed and any ordinance or parts of ordinances heretofore adopted by the City Council of the City of Bayou La Batre that are inconsistent with the provision of this Ordinance are hereby repealed.

SECTION SIX: EFFECTIVE DATE

This Ordinance shall be effective upon publication.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BAYOU LA
BATRE, ALABAMA, THIS THE 11 DAY OF JUNE, 2002.

CITY OF BAYOU LA BATRE



STAN WRIGHT, MAYOR

ATTEST:



IMELDA B. McCLELLAN, CLERK

STATE OF ALABAMA)
COUNTY OF MOBILE)

I, IMELDA B. McCLELLAN, City Clerk of the City of Bayou La Batre, Alabama, do hereby certify the foregoing to be a true and exact copy of an Ordinance approved and adopted by the City Council of the City of Bayou La Batre, Alabama, at its meeting held on the 11 day of June, 2002.



IMELDA B. McCLELLAN, CITY CLERK