

TOWN OF DAUPHIN ISLAND

ORDINANCE NO. 34

AN ORDINANCE PROHIBITING THE EXCAVATION OR DIGGING ON ANY LAND, INCLUDING SUBMERGED LAND ON DAUPHIN ISLAND FOR THE PURPOSE OF EXPLORING, EXCAVATING OR SURVEYING ANY HISTORICAL ARTIFACTS WITHOUT OBTAINING A PERMIT.

BE IT ORDAINED by the Town Council of the Town of Dauphin Island, Alabama, as follows:

SECTION 1. The provisions of Section 41-3-1 thru Section 41-3-6, Code of Alabama, 1976, as amended are hereby adopted by reference by the Town and a violation thereof shall be a violation of the ordinances of the Town of Dauphin Island, Alabama.

SECTION 2. It shall be unlawful to excavate, dig or survey on any land, including submerged land, of any area within the Town Limits of the Town of Dauphin Island, Alabama or in the police jurisdiction thereof for the purpose of locating historical artifacts, burial sites or historical forts without first obtaining a permit from the Town of Dauphin Island, Alabama.

SECTION 3. The Town is hereby authorized to promulgate rules, regulations and procedures for the issuance of a permit to any person, firm or corporation, who applies to excavate, discover or remove any artifacts or antiquities or to discover historical forts or historical burial sites and prescribe appropriate fees for obtaining such permits.

SECTION 4. Any person, firm or corporation who violates any section hereof shall be guilty of a criminal violation of the ordinances of the Town of Dauphin Island and upon conviction shall be fined not more than Five Hundred and No/100 (\$500.00) Dollars and/or be sentenced to a term in the Town jail for a period not to exceed six (6) months.

SECTION 5. This Ordinance shall become effective upon its adoption and publication.

ADOPTED and approved this _____ day of _____, 1991.

Mayor

Attest:

Town Clerk

Second Reading
Tabled - Dec. 3rd. - 1991