

Public notice policy change considered, tabled by Gulf Shores

By JOHN MULLEN

theislander@gulfcoastnewspapers.com

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GULF SHORES, Ala. – The city is considering an ordinance to change the way it publicly notifies residents about meetings, hearings and questions of zoning within its limits.

By current state law, any town with a population of more than 2,000, based on the 1950 census, and also has a newspaper published within its boundaries is legally obligated to publish that type of information in that newspaper. They are commonly referred to as “legals,” and some must be posted publicly several times before they can be acted on by city leaders.

The new rule was first discussed at a work session Monday night where its legality was questioned by Bill Atkinson, publisher of Gulf Coast Newspapers. In the following regular council meeting, it was brought up for a vote, but then tabled for further research based on questions raised by Atkinson.

GCN publishes The Islander and five other community newspapers in Baldwin County.

The resolution, written by City Attorney Donald Stewart, is about “determining the absence of newspapers published within Gulf Shores and the steps and the policy of regarding publication of municipal ordinances,” Mayor Robert Craft said in a Monday work session.

“We maintain that we do circulate and publish a newspaper in the cities of Gulf Shores and Orange Beach,” Atkinson said at the work session. “It is the Islander. We do not have a physical office in the city but we do publish and distribute and we have since 1977. We do that 52 times a year, twice a week.”

Dec. 1, 2009, GCN moved The Islander offices from its Cove Avenue facility to its sister paper's office in Foley. However, it has continued to be published and distributed throughout Pleasure Island.

Atkinson also told the council that legals are posted in print and also have the “online versions of every single legal, every single bid, every single notice” on the company’s website, [baldwincountynow.com](http://baldwincountynow.com).

“It is accessible 24/7 to the residents of the City of Gulf Shores and those folks that also have property (there) that live out of state,” he said.

Craft said he and council members were assured that the ordinance was legal.

“We have what we believe is sound legal guidance, but if they are not practical we may not decide that’s the best thing to do,” Craft said. “I assure you we’ve done our research. Our lawyer wrote this up.”

Atkinson said he, too, consulted with GCN lawyers.

“In that language it says you have to be a population of less than 2,000 based on the 1950 census,” Atkinson said. “Our attorney says that a fair reading would dispute that. We are prepared to take this further if necessary.”

So far this year, Atkinson said, the city of Gulf Shores has spent about \$4,600 on legal notices in the Islander.