

ORDINANCE NO. \_\_\_\_\_

BE IT ORDAINED by the City Council of the City of Oxford, Alabama as follows:

SECTION ONE: **Purpose:** An Ordinance regulating the utilization of multiple occupancy bathroom or changing facilities in places of public accommodation within the City of Oxford, Alabama and its police jurisdiction. The City Council finds that its citizens have a right to quite solicitude and to be secure from embarrassment and unwanted intrusion into their privacy while utilizing multiple occupancy bathroom or changing facilities by members of the opposite biological sex. The City Council asserts that there is a long standing history of restricting access to single sex public facilities on the basis of sex and that users of multiple occupancy bathrooms or changing facilities do not reasonably expect to be exposed to individuals of the opposite sex while utilizing those facilities. The Council further asserts that single sex public facilities are places of increased vulnerability and present the potential for crimes against individuals utilizing those facilities which may include, but not limited to, voyeurism, exhibitionism, molestation and assault and battery.

SECTION TWO: For the purposes of this Ordinance the following **definitions** apply:

1. **Biological Sex-** Is the physical condition of being male or female, which is stated on a person's birth certificate.
2. **Places of Public Accommodation** shall mean any business or location open for utilization by members of the general public.
3. **Multiple Occupancy or Changing Facility-** A facility designated or designated to be used by more than one (1) person at a time where persons may be in various stages of undress in the presence of other persons. A multiple occupancy bathroom and changing facility may include, but is not limited to, a restroom, locker room, changing room or shower room.

SECTION THREE: **Improper Utilization of Multiple Occupancy Bathrooms or Changing Facilities:** It shall be unlawful for a person to utilize a multiple occupancy or changing facility in a place of public accommodation within the police

jurisdiction of the City where such multiple occupancy bathroom or changing facility has been designated for use by the opposite biological sex of the person.

SECTION FOUR: **Exceptions** Section Three does not apply to persons entering a multiple occupancy bathroom or changing facility designated for use by the opposite sex under the following circumstances:

- a. An adult accompany a minor child under the age of twelve (12);
- b. For custodial purposes;
- c. For maintenance or inspection purposes;
- d. To render emergency medical aid or assistance;
- e. To accompany a person needing assistance who is physically handicapped and unable to transverse the facility without aid or assistance;
- f. Any facility that has been temporarily designated for use by that person's biological sex.

SECTION FIVE: **Penalty of Violations:** Any person violating any provision of this Ordinance as enumerated herein shall be deemed as a separate offense for each such act and upon conviction, shall be punished by fine not to exceed Five Hundred Dollars (\$500.00) or incarceration not to exceed six (6) months.

SECTION SIX: This Ordinance shall become effective upon its passage by the Council and publication as required by law.

**APPROVED** and **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

CITY COUNCIL OF THE CITY OF  
OXFORD, ALABAMA

\_\_\_\_\_  
Leon Smith, Mayor

\_\_\_\_\_  
Steven Waits, Council President

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\_\_\_\_\_  
Councilpersons

ATTEST:

\_\_\_\_\_  
CITY CLERK

CERTIFICATION OF ADOPTION

I hereby certify that the attached ordinance was duly adopted by the Oxford City Council in regular session assembled on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, and is recorded in the official minutes of the Oxford City Council.

\_\_\_\_\_  
Shirley Henson, City Clerk

CERTIFICATION OF PUBLICATION

I, Shirley Henson, City Clerk for the City of Oxford, Alabama, do hereby certify this Ordinance was posted in three public places within the City and at Oxford City Hall beginning on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, as in accordance with the provisions of Code of Alabama, 1975, Section 11-45-8.

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Shirley Henson, City Clerk