

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ALABAMA, SOUTHERN DIVISION

Gulf Coast Rental Co. L.L.C. v. City of Gulf Shores, et al.

Gulf Coast Rental · No. 25-0057-WS-M · Decided April 17, 2026

SUMMARY

In this order, the U.S. District Court for the Southern District of Alabama addresses cross-motions for summary judgment concerning the denial of a golf-cart rental business license and the enactment of a city ordinance effectively banning golf-cart rentals. The court grants the defendants' motions in part, including summary judgment on the plaintiff's ADA claims based on discriminatory treatment and failure to make reasonable modifications, and addresses the plaintiff's substantive due process and other claims. The remaining action is remanded under 28 U.S.C. § 1367(c)(3).

CASE DETAILS

COURT	United States District Court for the Southern District of Alabama, Southern Division
WRITING FOR THE COURT	William H. Steele
JURISDICTION	U.S. District Court for the Southern District of Alabama, Southern Division
DECIDED	April 17, 2026
DOCKET	25-0057-WS-M
DISPOSITION	other
PROCEDURAL POSTURE	The parties filed cross-motions for summary judgment concerning the plaintiff's federal ADA, substantive due process, and equal protection claims, along with state-law claims for mandamus, declaratory judgment, injunctive relief, and common-law certiorari.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The moving party may negate an element of the nonmoving party's claim or show that the party bearing the burden of proof cannot meet that burden; if the movant carries the initial burden, the nonmovant must show a genuine issue of material fact.
PRECEDENTIAL VALUE	district court order; published designation appears in the caption, but no reporter citation is provided

PARTIES

Gulf Coast Rental Co. L.L.C. v. City of Gulf Shores, City of Gulf Shores City Council, Andrews

TOPICS[ada / disability](#)[reasonable accommodation](#)[summary judgment](#)[substantive due process](#)[equal protection](#)**PRACTICE AREAS**[civil rights](#)[disability discrimination](#)[constitutional law](#)[municipal law](#)[civil procedure](#)[remedies](#)**QUESTIONS PRESENTED**

1. Whether the plaintiff presented sufficient evidence of intentional disability-association discrimination under Title II of the ADA based on denial of its license application or enactment of Ordinance 2127.
2. Whether the plaintiff's failure-to-make-a-reasonable-modification claim failed because the plaintiff made no pre-suit request for a modification.
3. Whether denial of the golf-cart business license deprived the plaintiff of a protected liberty interest in pursuing an occupation in violation of substantive due process.
4. Whether the plaintiff established a class-of-one equal protection claim by identifying a prima facie identical comparator and showing no rational basis for the different treatment.
5. Whether the court should decline supplemental jurisdiction over the remaining state-law claims after dismissing all federal claims.

HOLDINGS

1. The plaintiff failed to create a genuine dispute that the license denial or Ordinance 2127 was motivated by the disability of persons associated with the plaintiff. The defendants were therefore entitled to summary judgment on the intentional-discrimination theory.
2. A Title II failure-to-make-a-reasonable-modification claim requires the plaintiff to request a modification and the public entity to refuse it. Because the plaintiff admitted that it made no request before filing suit, and could not amend its pleadings through summary-judgment briefing, the claim failed.
3. The denial of the plaintiff's golf-cart business license did not violate substantive due process because the plaintiff had no fundamental right to operate this particular business, and the denial did not approach exclusion from its occupation or profession.
4. The plaintiff's equal protection claim failed because it did not identify a comparator that was similarly situated in all relevant respects. The plaintiff's proposed comparators served different customers, operated in different locations, and used golf carts for materially different purposes.
5. After dismissing all claims over which it had original federal-question jurisdiction, the court exercised its discretion under 28 U.S.C. § 1367(c)(3) to remand the remaining state-law claims.

KEY QUOTATIONS

“The Court therefore concludes that Title II requires the plaintiff to prove that it requested a modification.”
(Part I.B)

“Under these cases, a plaintiff’s liberty interest in pursuing an occupation or profession, even if fundamental, cannot be unconstitutionally infringed unless the degree of infringement approaches an exclusion from the occupation or profession.” (Part II)

“A plaintiff must ultimately show that it and any comparators are similarly situated in light of all the factors that would be relevant to an objectively reasonable government decisionmaker.” (Part III)

FACTUAL BACKGROUND

Gulf Coast Rental applied in April 2022 for a City of Gulf Shores business license to rent golf carts and similar vehicles. The City’s revenue supervisor declined to issue the license, and the City Council later denied the application without stating a formal reason; the City subsequently enacted Ordinance 2127, which effectively banned golf-cart rentals within the City. Gulf Coast Rental alleged that the denial and ordinance violated Title II of the ADA, substantive due process, and equal protection, while also asserting state-law claims.

PROCEDURAL HISTORY

The plaintiff brought federal and state claims after the City denied its application for a golf-cart-rental business license and later enacted an ordinance restricting golf-cart rentals. The defendants moved for summary judgment on all claims, and the plaintiff moved for partial summary judgment on the mandamus, certiorari, and equal protection claims. The court granted the defendants summary judgment on the federal claims, denied the plaintiff’s motion as to equal protection, dismissed Counts Five through Seven with prejudice, and remanded Counts One through Four to the Circuit Court of Baldwin County under 28 U.S.C. § 1367(c)(3).

DISPOSITION

other

REMAND INSTRUCTIONS

Counts One through Four are remanded to the Circuit Court of Baldwin County, Alabama. Counts Five through Seven are dismissed with prejudice, and judgment is to be entered separately.

CASES CITED

- Clark v. Coats & Clark, Inc., 929 F.2d 604, 608 (11th Cir. 1991)
- United States v. Four Parcels of Real Property, 941 F.2d 1428, 1438 & n.19 (11th Cir. 1991) (en banc)
- Fitzpatrick v. City of Atlanta, 2 F.3d 1112, 1115-16 (11th Cir. 1993)
- Mullins v. Crowell, 228 F.3d 1305, 1313 (11th Cir. 2000)
- Hamilton v. Westchester County, 3 F.4th 86, 91 (2d Cir. 2021)
- Sosa v. Massachusetts Department of Correction, 80 F.4th 15, 30 (1st Cir. 2023)

- Payan v. Los Angeles Community College District, 11 F.4th 729, 738 (9th Cir. 2021)
- J.V. v. Albuquerque Public Schools, 813 F.3d 1289, 1295 (10th Cir. 2016)
- National Federation of the Blind v. Lamone, 813 F.3d 494, 503 n.5 (4th Cir. 2016)
- Akridge v. Alfa Insurance Companies, 93 F.4th 1181, 1192 (11th Cir. 2024)
- McNely v. Ocala Star-Banner Corp., 99 F.3d 1068, 1076 (11th Cir. 1996)
- A Helping Hand, LLC v. Baltimore County, 515 F.3d 356, 362-64 (4th Cir. 2008)
- MX Group, Inc. v. City of Covington, 293 F.3d 326, 333-35 (6th Cir. 2002)
- Innovative Health Systems, Inc. v. City of White Plains, 117 F.3d 37, 46-48 (2d Cir. 1997)
- Matthews v. Columbia County, 294 F.3d 1294, 1295 (11th Cir. 2002)
- McCarthy v. City of Cordele, 111 F.4th 1141, 1146 (11th Cir. 2024)
- Rylee v. Chapman, 316 Fed. Appx. 901, 906 (11th Cir. 2009)
- Gaston v. Bellingrath Gardens & Home, Inc., 167 F.3d 1361, 1363 (11th Cir. 1999)
- Charles v. Johnson, 18 F.4th 686, 703 (11th Cir. 2021)
- Schwarz v. City of Treasure Island, 544 F.3d 1201, 1219 (11th Cir. 2008)
- Sailboat Bend Sober Living, LLC v. City of Fort Lauderdale, 46 F.4th 1268, 1279-80 (11th Cir. 2022)
- Koletas v. United States, 159 F.4th 813, 820 (11th Cir. 2025)
- Hunt v. Aimco Properties, L.P., 814 F.3d 1213, 1226 (11th Cir. 2016)
- Gilmour v. Gates, McDonald and Co., 382 F.3d 1312, 1315 (11th Cir. 2004)
- Matamoros v. Broward Sheriff's Office, 2 F.4th 1329, 1336 n.6 (11th Cir. 2021)
- Dukes v. Deaton, 852 F.3d 1035, 1046 (11th Cir. 2017)
- Michel v. NYP Holdings, Inc., 816 F.3d 686, 705-06 (11th Cir. 2021)
- McKinney v. Pate, 20 F.3d 1550, 1556 (11th Cir. 1994) (en banc)
- Palko v. Connecticut, 302 U.S. 319, 325 (1937)
- Hillcrest Property, LLP v. Pasco County, 915 F.3d 1292, 1297 (11th Cir. 2019)
- Littlejohn v. School Board of Leon County, 132 F.4th 1232, 1240 (11th Cir. 2025)
- Meyer v. Nebraska, 262 U.S. 390, 399 (1923)
- Greene v. McElroy, 360 U.S. 474, 492 (1959)
- Conn v. Gabbert, 526 U.S. 286, 291-92 (1999)
- Jones v. Board of Commissioners, 737 F.2d 996, 1000 (11th Cir. 1984)
- Locke v. Shore, 634 F.3d 1185, 1195 (11th Cir. 2011)
- Helm v. Liem, 523 Fed. Appx. 643, 645 (11th Cir. 2013)
- Morley's Auto Body, Inc. v. Hunter, 70 F.3d 1209, 1217 n.5 (11th Cir. 1995)
- Pirolo v. City of Clearwater, 711 F.2d 1006, 1008, 1011 (11th Cir. 1983)
- Ming Wei Liu v. Board of Trustees, 330 Fed. Appx. 775, 780-81 (11th Cir. 2009)
- Moates v. Strength, 57 F. Supp. 2d 1305, 1306-07, 1309 (M.D. Ala. 1999)
- Waldman v. Conway, 871 F.3d 1283, 1292 (11th Cir. 2017)
- County of Sacramento v. Lewis, 523 U.S. 833, 846, 848-50 (1998)

- Village of Willowbrook v. Olech, 528 U.S. 562, 564 (2000)
- Griffin Industries, Inc. v. Irvin, 496 F.3d 1189, 1202, 1204 (11th Cir. 2007)
- Grider v. City of Auburn, 618 F.3d 1240, 1264 (11th Cir. 2010)
- PBT Real Estate, LLC v. Town of Palm Beach, 988 F.3d 1274, 1285, 1287 (11th Cir. 2021)
- Leib v. Hillsborough County Public Transportation Commission, 558 F.3d 1301, 1306-07 (11th Cir. 2009)
- Campbell v. Rainbow City, 434 F.3d 1306 (11th Cir. 2006)
- WBY, Inc. v. City of Chamblee, 155 F.4th 1242, 1264 (11th Cir. 2025)
- 68V BTR Holdings, LLC v. City of Fairhope, 737 F. Supp. 3d 1222, 1238-40 (S.D. Ala. 2024)
- Parker v. Exterior Restorations, Inc., 601 F. Supp. 3d 1221, 1228-36 (S.D. Ala. 2022)
- City of Chicago v. International College of Surgeons, 522 U.S. 156, 173 (1997)
- Cook ex rel. Estate of Tessier v. Sheriff of Monroe County, 402 F.3d 1092, 1123 (11th Cir. 2005)
- Raney v. Allstate Insurance Co., 370 F.3d 1086, 1089 (11th Cir. 2004)
- Carnegie-Mellon University v. Cohill, 484 U.S. 343, 350 & n.7 (1988)
- Harris-Billups ex rel. Harris v. Anderson, 61 F.4th 1298, 1305-06 (11th Cir. 2023)
- Michael Linet, Inc. v. Village of Wellington, 408 F.3d 757, 763 (11th Cir. 2005)
- Murphy v. Florida Keys Electric Cooperative Association, 329 F.3d 1311, 1320 (11th Cir. 2003)
- Parker v. Scrap Metal Processors, Inc., 468 F.3d 733, 746 (11th Cir. 2006)
- Ameritox, Ltd. v. Millenium Laboratories, Inc., 803 F.3d 518, 539 (11th Cir. 2015)
- United Mine Workers v. Gibbs, 383 U.S. 715, 726 (1966)