

# Gender Specific Personal Pronouns

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## County Ordinance Code

County Administrator's Office

December 3, 2024





# Agenda

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1. History of the County Ordinance Code
2. Gender References in County Ordinance Code
3. Gender Reference Review Methodology
  - a. References to Gender Specific Pronouns;
  - b. Updates to Gender Neutral Pronouns
4. Example Updates to Gender Pronoun References
5. Recommendation
6. Questions



# Why Are We Here?

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## **33-3.703 No discrimination.**

No person in the merit system or seeking admission thereto shall be appointed, promoted, disciplined, reduced, removed or in any way favored, disfavored, or discriminated against because of his political or religious or labor organization opinions or affiliations, or his race, color, national origin, sex, age, or handicap.

(Ords. 81-70 § 1, 80-47 § I[5])

## **Article 33-3.9. Merit Board**



# History of the County Ordinance Code

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- The first County Ordinance Code was adopted in 1960
- Recodified following action by the Board on December 26, 1972 with an operative date of February 1, 1973.
- Organized in Titles, Divisions, Chapters, Articles and Sections, under an expandable decimal numbering system so it can be kept up to date by separate supplements without the necessity for recodification.
- Municipal Code Corporation (“MuniCode”) under contract with the County assist with the maintenance of the County Ordinance Code.



# History of the County Ordinance Code

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- It is important to note that in the order of actions that the Board may take –
  - Ordinances,
  - Resolutions and separate orders of the
  - Board Orders
- Ordinances typically represent a permanent rule of government or conduct and has the same effect as statute
- For this reason, the County Ordinance Code, in effect, reflects the local “law of the land” and is the highest form of policy that may be set by the Board.



# Gender References in County Code

- Since recodification in 1970, several areas of the Code have remained largely unchanged.
- Division 16 “Construing Provisions” of Title I “General Provisions” lays out underlying intent, grammar and definitions related to the construction of the County Ordinance Code, generally.
- In 1991, the Board of Supervisors adopted Ordinance No. 91-7 making certain changes to the definition of “Gender” within Title I “General Provisions”; specifically, that the current approach to identifying gender identity within the Code is defined as:

## ***16-4.016 - Gender.***

***The feminine gender includes the masculine and neuter genders; and the masculine gender includes the feminine and neuter genders.***

***(Ords. 91-7, 76-51 § 6, 70-36, 1457: prior code § 1303(c)).***



# Gender Reference Review Methodology

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- The County Ordinance Code amounts to over 1,500 pages of text among the various (11) eleven Title sections described earlier.
- In May 2024, following adoption of the County Budget, the County Administrator's Office convened a team of three (3) team members to develop a methodology and scope for reviewing the County Ordinance Code to identify:
  1. References to Gender Specific Pronouns;
  2. Updates to Gender Neutral Pronouns
  3. Policy Framework for Update of Department Policies and Procedures
- Once the review process was completed, **841 gender specific pronoun matches were discovered for review and potential update.**
- It is important to note that **each of the (11) eleven Title sections had gender specific pronoun matches** during the review



# Updates to Gender Neutral Pronouns

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- Following identification of gender specific pronoun matches, staff discussed methodology to evaluate updates to each match. Below is the process used to make recommendations for updates to the language:
  1. Delete the gender specific pronoun reference and substitute with a non-gendered descriptor. For example, when referencing a department head, substitute “he” with “the department head”.
  2. In situations where a substitution in No. 1 changes the construction of the sentence, restructure or reword the sentence to become gender neutral.
  3. If a non-gendered descriptor is not a direct replacement for a gendered pronoun and it is difficult to restructure a sentence without materially changing its meaning, then consider using “they” or “their” in its form as a singular pronoun in place of the gendered pronoun.





# Examples of Updates to Gender Neutral Pronouns

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## **26-2.2806 Late filing.**

*Whenever the director of community development determines that a person has begun an illegal land use without first applying for and obtaining all required permits or entitlements, the person ~~he~~ shall apply as soon as practicable and pay a fee of one and one-half times the normal fee, ~~but he~~ and remains subject to other penalties and enforcement procedures.*

*(Ord. 86-95 § 5).*

## **82-34.602 Nonconforming use.**

*Upon the effective date of the ordinance codified in this chapter, any person who claims or believes ~~they he or she has~~ have established a legal nonconforming use to maintain a cabaret shall, within sixty days of the effective date of the ordinance codified in this chapter, provide written evidence describing the extent and scope of such use to the director of the community development department...*

*(Ord. 95-20 § 1).*



# Recommendations

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ADOPT Ordinance No. 2024-23, amending the County Ordinance Code to remove gendered pronouns and to replace them with gender-neutral pronouns.

# Questions

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