

CITY COUNCIL AGENDA TOPIC

Ordinance authorizing edits to the Bellevue City Code to make it gender neutral and amending Section 1.04.020 of the Bellevue City Code to update the grammatical interpretation rule regarding references to gender.

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EXECUTIVE SUMMARY

ACTION

This Ordinance will authorize City staff to modernize the Bellevue City Code by making it gender neutral and amending the grammatical interpretation rule to update references to gender.

RECOMMENDATION

Move to adopt Ordinance No. 6898

BACKGROUND/ANALYSIS

The Bellevue City Code (BCC) consists of many hundreds of ordinances codified since the City incorporated in 1953. While more recently adopted ordinances reflect Bellevue's commitment to diversity, equity, and inclusion by using gender-neutral language, the City Code contains a number of provisions that have outdated and unnecessary references to gender.

Current best practices in code drafting reflect the modern trend of using gender-neutral language. Washington has recognized the importance of using gender-neutral terms in statutes and ordinance for many years. Since 1983, the Washington State Legislature has required all state statutes, memorials, and resolutions enacted, adopted, or amended "be written in gender-neutral terms unless a specification of gender is intended." See RCW 44.04.210. More recently, local governments in the state have begun modernizing their county and city codes to replace gendered language with gender-neutral terms.

RCW 35.21.500 allows local governments to modernize and clarify language in their codes so long as the edits do not change the meaning of the adopted ordinance. The proposed legislation authorizes staff to edit the City Code to make it gender neutral unless doing so would change the meaning of the code provision, such as where the specification of gender is necessary. In most cases, this will mean replacing gendered language with gender-neutral terms. Below are examples of the kinds of edits this ordinance would authorize:

BCC 3.04.020 Office full-time job - Oath. Unless express authority to the contrary is hereafter granted by resolution of the city council, the city manager shall devote his their full time to the affairs of the city, and before undertaking the duties of his the office the

city manager shall take an official oath in support of the government of the United States, the laws of the state of Washington, the ordinances of the city of Bellevue and the faithful performance of ~~his~~ their duties

BCC 9.22.030 Delivery to news media. The mayor shall cause any proclamation issued by ~~him~~ them pursuant to the authority of this chapter to be delivered to all news media within the city and shall utilize such other available means, including public address systems, as shall be necessary, in ~~his~~ the mayor's judgment, to give notice of such proclamations to the public.

BCC 12.04.360 Release from arrest on notice to appear. Whenever any person is arrested for any violation of this chapter, the arresting officer may serve upon ~~him~~ such person a citation and notice to appear in court. The arrested person, in order to secure release, and when permitted by the arresting officer, must give ~~his or her~~ their written promise to appear in court, as required by the citation and notice, by signing in the appropriate place the written citation and notice served by the arresting officer. Upon the arrested person's failing or refusing to sign such written promise, ~~he~~ they may be taken into the custody of such arresting officer and so remain or be placed in confinement.

If staff determine the edits necessary to make a particular code provision gender neutral cannot be achieved without changing the meaning of the provision, and the specification of gender is not necessary, the proposed code change will be brought to Council for approval.

The proposed amendment to Section 1.04.020 of the Bellevue City Code will modernize and clarify the grammatical rule of interpretation for reference to gender in city ordinances.

POLICY & FISCAL IMPACTS

Policy Impact

Making the Bellevue City Code gender neutral supports the City's diversity, equity and inclusion core value by making clear the City's laws respect and represent all individuals, fostering a more welcoming community.

Fiscal Impact

Staff estimate the cost associated with the code updates will be less than \$1,000 and can be absorbed within the existing budget.

OPTIONS

1. Adopt the Ordinance authorizing edits to the Bellevue City Code to make it gender neutral and amending Section 1.04.020 of the Bellevue City Code to update the grammatical interpretation rule regarding references to gender.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS

Proposed Ordinance No. 6898

AVAILABLE IN COUNCIL LIBRARY

N/A