

ORDINANCE NO. 2023- 31

A BILL

FOR AN ORDINANCE SUBMITTING TO A VOTE OF THE REGISTERED ELECTORS OF THE CITY OF AURORA, COLORADO, AT THE REGULAR MUNICIPAL ELECTION OF NOVEMBER 7, 2023, PROPOSED AMENDMENTS TO ARTICLES 2-2, 3-10, 3-14(4), 3-14(5), 3-14(7), 3-15(1), 3-15(3), 3-15(4), 3-16(6), 3-16(8)(a), 3-16(8)(j), 3-16(8)(j)(a), 3-17(2), 3-17(3), 5-2, 5-9, 6-5, 7-4(e), 7-4(f), 8-2, 10-1, 10-5, 10-8, 11-2, 11-3, 12-7, 14-9(6) & 15-9(6) OF THE CITY CHARTER CONCERNING NON-SUBSTANTIVE UPDATES TO THE CITY CHARTER TO CREATE GENDER NEUTRALITY BY REPLACING ALL GENDER SPECIFIC NOUNS AND ALL PERSONAL PRONOUNS WITH NON-GENDER SPECIFIC NOUNS, AND AMENDING ARTICLE 5-9 TO INCORPORATE DIRECTION THAT UNIFORM CODES ADOPTED BY THE CITY FOR INCLUSION IN THE CITY CODE SHALL FIRST BE AMENDED TO USE GENDER NEUTRAL REFERENCES TO PERSONS.

WHEREAS, Article XX, Section (6) of the Colorado Constitution and Article 1-6 of the City Charter empowers home rule municipalities to control and legislate in their Charters upon all matters of municipal concern and to amend those Charters through a vote of the electorate, and

WHEREAS, Article 1-5 of the City Charter has established the precedent the City intends always to be inclusive in its use of language and designations of gender uniformly throughout its Charter; and

WHEREAS, Language naturally evolves over time and it has been six decades since the City evaluated its Charter language as to inclusivity of designations to reflect current norms in the use of language;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO:

Section 1. That Articles 2-2, 3-10, 3-14(4), 3-14(5), 3-14(7), 3-15(1), 3-15(3), 3-15(4), 3-16(6), 3-16(8)(a), 3-16(8)(j), 3-16(8)(j)(a), 3-17(2), 3-17(3), 5-2, 5-9, 6-5, 7-4(e), 7-4(f), 8-2, 10-1, 10-5, 10-8, 11-2, 11-3, 12-7, 14-9(6) & 15-9(6) of the City Charter of the City of Aurora, Colorado are hereby amended such that all gender specific nouns be changed to non-gender specific nouns, and all personal pronouns be removed.

Section 2. That Article 5-9 of the City Charter of the City of Aurora, Colorado, is hereby amended to read as follows:

Standard codes, promulgated by the Federal Government, the State of Colorado, or by any agency of either of them, or by any municipality within the State of Colorado, or by recognized trade or professional organizations, or amendments or revisions thereof, may be adopted by

reference, provided the publication of the bill or ordinance adopting any said code shall advise that copies thereof are available for inspection at the office of the city attorney, and provided that any penalty clause in said codes may be adopted only if set forth in full and published in the adopting ordinance, **and only if such codes have first been amended to assure all references therein to persons shall use gender neutral references to persons unless there is a compelling reason a provision of the code necessarily demands a gender specific reference to effectuate its meaning.**

Section 3. The following question shall be submitted to a vote of the registered electors of the City at the general election on November 7, 2023:

**“Direction to Amend the City Charter to replace gender specific terms with gender neutral nouns.”**

**Shall Articles 2-2, 3-10, 3-14(4), 3-14(5), 3-14(7), 3-15(1), 3-15(3), 3-15(4), 3-16(6), 3-16(8)(a), 3-16(8)(j), 3-16(8)(j)(a), 3-17(2), 3-17(3), 5-2, 5-9, 6-5, 7-4(e), 7-4(f), 8-2, 10-1, 10-5, 10-8, 11-2, 11-3, 12-7, 14-9(6) & 15-9(6) of the City Charter of the City of Aurora, Colorado be hereby amended such that all gender specific nouns and all personal pronouns be changed to non-gender specific nouns, and shall Article 5-9 of the City Charter be amended to reflect that uniform codes, incorporated by reference into the City Code shall have language norms as to gender specific nouns and pronouns consistent with the non-gender specific nouns found throughout the City Charter?**

YES \_\_\_\_\_ NO \_\_\_\_\_

Section 4. The City Attorney is authorized to make additional changes to the City Charter that are not substantive and that comply with the principals and goals of this ordinance if additional specific instances of gender specific language are identified.

Section 5. Pursuant to Section 31-2-210(3.5), C.R.S., the City Clerk is hereby directed to certify the proposed ballot question to the Clerk and Recorder of each county in which the City is located for submission at the statewide general election on November 7, 2023.

Section 5. Pursuant to Section 31-2-210(4), C.R.S., the City Clerk is hereby directed to publish, within thirty (30) days of the adoption of this ordinance, notice of the date and time of the election upon which the proposed Charter amendment will be considered said publication to appear in a newspaper of general circulation in the City which notice shall contain the full text of the proposed Charter amendment.

Section 6. The City Clerk shall secure from each county the votes in favor of and opposed to the proposed Charter amendment and shall report the same to City Council following

the election within such time is as provided for by state law. If the majority of the registered electors voting thereon have voted in favor of the proposed amendment, such amendment shall be deemed approved.

Section 7. In the event the proposed Charter amendment is approved by a majority of the registered electors voting thereon, the City Clerk shall publish once, in the same newspaper which published the notice of the charter amendment being on the ballot the full text of the Charter amendment following the election within such time as is provided by state law. At such time, the City Clerk shall also file with the Secretary of State two (2) copies of said amendment, along with the official tally of the vote for and against, as certified by the City Clerk.

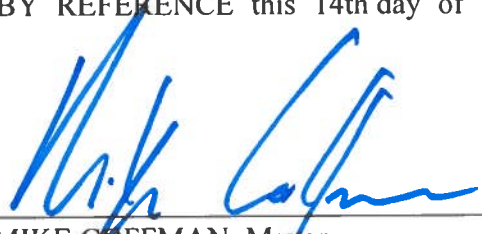
Section 8. The provisions of this ordinance, the Charter amendment, and the question authorized hereby are severable. If any portion of this ordinance, the Charter amendment, or the question are judicially determined to be invalid or unenforceable, such determination shall not affect the remaining provision of such ordinance, Charter amendment, or question.

Section 9. All ordinances or parts of ordinances, of the City Code of the City of Aurora, Colorado, in conflict herewith are expressly repealed.

Section 10. Pursuant to Article 5-5 of the Charter of the City of Aurora, Colorado, the second publication of this ordinance shall be by reference, utilizing the ordinance title. Copies of this ordinance are available at the office of the City Clerk.

INTRODUCED, READ, AND ORDERED PUBLISHED this 31st day of July, 2023.

PASSED AND ORDERED PUBLISHED BY REFERENCE this 14th day of August, 2023.

  
MIKE COFFMAN, Mayor

ATTEST:

  
KADEE RODRIGUEZ, City Clerk



APPROVED AS TO FORM:

 JK

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ANDREA WOOD, Criminal Prosecution Manager