

**(21-18) RESOLUTION OF THE REPRESENTATIVE TOWN MEETING
OF THE TOWN OF DARIEN TO REQUEST THE BOARD OF SELECTMEN
AND BOARD OF FINANCE TO APPROVE AN APPROPRIATION OF FOUR
THOUSAND FIVE HUNDRED DOLLARS (\$4,500.00) FOR THE TOWN
TO CONTRACT WITH MUNICODE OF TALLAHASSEE, FLORIDA FOR
THE MODIFICATION OF THE CHARTER AND CODE SO AS TO
MAKE IT GENDER-NEUTRAL**

**Primary – TGS&A
Secondary – F&B**

WHEREAS, it is believed by some that the charter and code of the Town of Darien is antiquated in that it is not gender-neutral; and

WHEREAS, governments work to create a more inclusive environment for both staff and citizens; and

WHEREAS, gender neutralization is considered an important milestone in that process; and

WHEREAS, the older language within the charter and code contains increasingly obsolete gender specific terms.

WHEREAS, the approval of this special appropriation by the Board of Finance is needed to authorize said funds; and

WHEREAS, the Charter requires that any such appropriation and the rate of taxation, if any, so recommended shall be submitted by the board of selectmen for approval to a regular or special town meeting called for that purpose.

NOW THEREFORE BE IT RESOLVED that the Representative Town Meeting of the Town of Darien hereby requests that the Board of Finance and the Board of Selectmen take the necessary action to authorize an appropriation in the amount of Four Thousand Five Hundred Dollars (\$4,500.00) for Municode to review the charter and code of the Town of Darien and create a gender-neutral report as well as the implementation of gender-neutral revisions to the charter and code.

BE IT FURTHER RESOLVED that the Board of Finance may wish to consider the funding source to be the Board of Finance Contingency Reserve Fund or the Town's General Fund or the Board of Selectmen may wish other transfers of funds as determined by the Board of Selectmen.

6/9/21

For Members of the RTM

Background Information to Accompany Resolution to

Consider and appropriation of \$4,500 for modification of the Charter/Code so as to be

Gender Neutral

The following documents are attached for reference:

1. Copy of the draft Resolution provided by Town Counsel 6/3/21
2. "Gender-neutral language" – an extract of the article in Wikipedia
3. Q & A topics related to the draft Resolution
4. Municode's proposal (March 26, 2021) for Gender Neutralization of Code – in two phases:

Phase 1 – Review	\$3,000
Phase 2 – Implementation	\$1,500
5. Example Phase 1 Report: the Municipality of Maitland, FL (2 of 25 pages)
6. Example Phase 2 Implementing Ordinance – Miami FL (2 pages)

Gender-neutral language

An extract from the Wikipedia article: Gender-neutral language

Gender-neutral language or gender-inclusive language is language that avoids bias towards a particular sex or social gender.

In English, this includes use of nouns that are not gender-specific to refer to roles or professions, formation of phrases in a coequal manner, and discontinuing the blanket use of male terms.

For example, the words *policeman* and *stewardess* are gender-specific job titles; the corresponding gender-neutral terms are *police officer* and *flight attendant*. Other gender-specific terms, such as *actor* and *actress*, may be replaced by the originally male term; for example, *actor* used regardless of gender.

Some terms, such as *chairman*, that contain the component *-man* but have traditionally been used to refer to persons regardless of sex are now seen by some as gender-specific.

An example of forming phrases in a coequal manner would be using *husband and wife* instead of *man and wife*. Examples of discontinuing the blanket use of male terms in English are referring to those with unknown or indeterminate genders as singular *they*, *he or she*, or *s/he*, and using *humans*, *people*, or *humankind*, instead of *man* or *mankind*.

Q & A topics related to the draft Resolution

Q1 – How is the issue of gender addressed in the current Charter/Ordinances?

A1 – Section 1-3 of the Ordinances contains this phrase: “Gender. Words of one gender include all other genders.”

Q2 – Are we obligated to accept all of the changes identified by the Municode program?

A2 – No. Municode will return a list. We may review the list and authorize only the changes that are approved in the Ordinance that authorizes them to make the changes.

Q3 – Will the title of “Selectman” be changed to “Selectperson”?

A3 – Such a change may appear on the list that is returned to us by Municode, however it would be reasonable to consider the preferences of the Board of Selectmen in this regard.

Q4 – Is this initiative related to any other community effort emphasizing inclusiveness?

A4 – No, it is an independent effort, available for consideration by the RTM.

municode



P.O. Box 2235 Tallahassee, FL 32316

municode.com • 800.262.2633

March 26, 2021

Town of Darien, Connecticut Gender Neutralization of Code – Review and Implementation

As governments work to create more inclusive environments for both staff and citizens, Gender Neutralization of the Code is an important milestone in the process, and one that has become a priority for many municipalities. The older language within your Code likely contains increasingly obsolete gender-specific terms such as "she", "he", "chairman", "policeman" and other gender-specific terminology that is not considered inclusive in today's non-gender specific world. We can help with that!

To ensure gender neutrality throughout the Code, our editors will conduct a page-by-page review of the Code to identify all Code language in need of gender-neutral revision. Any text that requires a specific directive will be noted for your review. An example of revisions that will require your direction is "painted in a work~~man~~like fashion", which could be revised to a "skillful" or "professional" fashion, depending on your preferences.

Following the page by page review, we will provide you with a report citing the location of each gender-specific occurrence within the Code, along with our recommended text revisions. Subsequently we will provide a sample adopting ordinance to implement only your approved revisions via the supplement process at the cost shown below.

Upon completion of the printed supplement we will provide the replacement Code pages along with the standard supplement Instruction Sheet and Checklist of up-to-date pages. The timeframe for providing the report will vary depending on the size of the Code, but the special Gender-Neutral Supplement can typically be completed within 4 to 6 weeks of your authorization to proceed and our receipt of the adopted ordinance authorizing the specific text changes necessary. This time frame excludes any time required by your municipality for reviewing a proof of the supplement, if applicable to your account. Please note that this project will not include any additional legislation enacted after the gender-neutral project has been approved by you.

This proposal shall be valid for a period of ninety (90) days. To initiate the Gender-Neutralization Review and Implementation process, please sign below.

Gender Neutralization Review and Implementation

- | | |
|--|----------------------------|
| <input type="checkbox"/> Code review and creation of Gender-Neutral report, one-time cost | \$3,000 |
| <input type="checkbox"/> Implementation of Gender-Neutral revisions via supplementation, one-time
(Implementation to commence upon receipt of Gender-Neutral Ordinance) | \$1,500¹ |

AUTHORIZED BY DARIEN, CONNECTICUT:

Printed Name: _____ Title: _____

Signature: _____ Date: _____

¹ The implementation cost includes incorporating all gender-neutral revisions to the Code into the online and/or printed Code version via supplement process following our receipt of the adopted gender-neutral ordinance. Additional ordinances included in the applicable supplement will be invoiced at the current supplement rates. If any special costs for color printing apply to your account, those costs will also apply to the printed supplement.

GENDER NEUTRALIZATION: MAITLAND, FLORIDA CODE OF ORDINANCES

- Changing the term "he" to "he/she;"; "he or she"
- Changing the term "his" to "his/her;"; "his or her"
- Changing the term "her" to "his/her;"; "his or her"
- Changing the term "him" to "him/her;"; "him or her"
- Changing the term "himself" to "himself/herself;"; "himself or herself"
- Changing the term "herself" to "himself/herself;"; "himself or herself"

*Changing the term "man-made" to "human-made"

*Changing the term "councilman" to "councilperson"

Charter Section	Text
2.03	Every three (3) years, a mayor shall be elected for a term of approximately three (3) years. The mayor shall be a member of the council. In addition, he shall preside at meetings of the council, shall be recognized as head of the city government for all ceremonial purposes and by the governor for purposes of military law but shall have no administrative duties. The council shall select from among its members a vice mayor who shall act as mayor during the absence or disability of the mayor and, if a vacancy occurs, shall become mayor for the remainder of the unexpired term. The vice mayor shall serve at the pleasure of the city council. If the mayor's seat is vacated during his/her term of office, then a new mayor shall be elected at the next scheduled municipal election.
2.05(a), (b)	<p>(a) <i>Holding other office.</i> Except where authorized by law, no councilman shall hold any other city office or employment during the term for which he was elected to the council, and no former councilman shall hold any compensated appointive city office or employment until one year after the expiration of the term for which he was elected to the council.</p> <p>(b) <i>Appointments and removals.</i> Neither the council nor any of its members shall in any manner dictate the appointment or removal of any city administrative officers or employees whom the manager or any of his subordinates are empowered to appoint, but the council may express its views and fully and freely discuss with the manager anything pertaining to appointment and removal of such officers and employees.</p>
2.06(a), (b)	<p>(a) <i>Vacancies.</i> The office of a councilman shall become vacant upon his death, resignation, removal from office in any manner authorized by law or forfeiture of his office.</p> <p>(b) <i>Forfeiture of office.</i> A council member shall forfeit his office if he (1) lacks at</p>

	any time during his/her term of office any qualification for the office prescribed by this charter or by law, (2) violates any express prohibition of this charter, (3) is convicted of a crime involving moral turpitude, driving under the influence, public intoxication, theft, or prostitution; or (4) fails to attend three consecutive regular meetings of the council without being excused by the council.
2.07	The council shall be the judge of the election and qualifications of its members and of the grounds for forfeiture of their office and for that purpose shall have power to subpoena witnesses, administer oaths and require the production of evidence. A member charged with conduct constituting grounds for forfeiture of his office shall be entitled to a public hearing on demand, and notice of such hearing shall be published in one or more newspapers of general circulation in the city at least one week in advance of the hearing. Decisions made by the council under this section shall be subject to review by the courts
2.08	The council shall appoint an officer of the city who shall have the title of city clerk. The city clerk shall give notice of council meetings to its members and the public, keep the journal of its proceedings and perform such other duties as are assigned to him by this charter or by the council
2.16(a)	(a) <i>Authentication and recording.</i> The city clerk shall authenticate by his signature and record in full in a properly indexed book kept for the purpose all ordinances and resolutions adopted by the council.
4.01	The council shall appoint a city manager for an indefinite term and fix his compensation. The manager shall be appointed solely on the basis of his executive and administrative qualifications. He need not be a resident of the city or state at the time of his appointment but may reside outside the city while in office only with the approval of the council.
4.02	<p>(2) Within five days after a copy of the resolution is delivered to the manager, he may file with the council a written request for a public hearing. This hearing shall be held at a council meeting not earlier than fifteen days nor later than thirty days after the request is filed. The manager may file with the council a written reply not later than five days before the hearing;</p> <p>(3) The council may adopt a final resolution of removal, which may be made effective immediately, by affirmative vote of a majority of all its members at any time after five days from the date when a copy of the preliminary resolution was delivered to the manager if he has not requested a public hearing, or at any time after the public hearing if he has requested one.</p> <p>The manager shall continue to receive his salary until the effective date of a final resolution of removal. The action of the council in suspending or removing the manager shall not be subject to review by any court or agency.</p>



City of Miami
Legislation
Ordinance 13676

City Hall
3500 Pan American Drive
Miami, FL 33133
www.miamigov.com

File Number: 1396

Final Action Date: 4/27/2017

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), AND ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("MIAMI 21 CODE"), TO AMEND THE ENTIRE CITY CODE AND THE MIAMI 21 CODE TO MODIFY ANY AND ALL MASCULINE AND/OR FEMININE LANGUAGE TO GENDER NEUTRAL PRONOUNS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Code of the City of Miami, as amended ("City Code"), and Ordinance No. 13114, the Zoning Ordinance of the City of Miami, Florida, as amended ("Miami 21 Code"), currently contain mostly masculine pronouns; and

WHEREAS, all genders are created equal; and

WHEREAS, amending the City Code and the Miami 21 Code to include gender-neutral pronouns by eliminating any gender preference language within the City Code and the Miami 21 Code will promote equality;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Ordinance are adopted by reference and incorporated as if fully set forth in this Section.

Section 2. The pronouns throughout the City Code and the Miami 21 Code are amended to promote gender-neutral pronouns.

Section 3. Subject to final approval by the City Attorney, The Municipal Code Corporation has authority to degenderize the City Code and update pronouns when appropriate and also includes the updating of future ordinances by making changes such as the following:

- a. Changing the term "he" to "he/she";
- b. Changing the term "she" to "he/she";
- c. Changing the term "his" to "his/her";
- d. Changing the term "her" to "his/her";
- e. Changing the term "him" to "him/her";
- f. Changing the term "himself" to "himself/herself";
- g. Changing the term "herself" to "himself/herself";
- h. Changing the term "policeman" to "police officer";
- i. Changing the term "policewoman" to "police officer";
- j. Changing the term "policemen" to "police officers";
- k. Changing the term "policewomen" to "police officers";
- l. Changing the term "workman" to "worker";
- m. Changing the term "workmen" to "workers";
- n. Changing the term "fireman" to "firefighter";

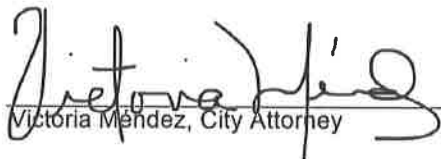
- o. Changing the term "firemen" to "firefighters";
- p. Changing the term "man or woman" to "person"; and
- q. Changing the term "men or women" to "persons".

Section 4. The City Manager is directed to degenderize the Miami 21 Code and update pronouns when appropriate and further directed to update future amendments to the Miami 21 Code by making changes such as the following:

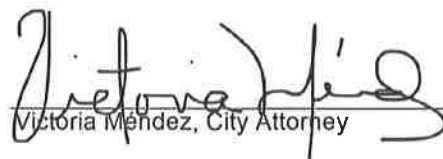
- a. Changing the term "he" to "he/she";
- b. Changing the term "she" to "he/she";
- c. Changing the term "his" to "his/her";
- d. Changing the term "her" to "his/her";
- e. Changing the term "him" to "him/her";
- f. Changing the term "himself" to "himself/herself";
- g. Changing the term "herself" to "himself/herself";
- h. Changing the term "policeman" to "police officer";
- i. Changing the term "policewoman" to "police officer";
- j. Changing the term "policemen" to "police officers";
- k. Changing the term "policewomen" to "police officers";
- l. Changing the term "workman" to "worker";
- m. Changing the term "workmen" to "workers";
- n. Changing the term "fireman" to "firefighter";
- o. Changing the term "firemen" to "firefighters";
- p. Changing the term "man or woman" to "person"; and
- q. Changing the term "men or women" to "persons".

Section 5. This Ordinance shall become effective thirty (30) days after the final reading and adoption thereof.¹

APPROVED AS TO FORM AND CORRECTNESS:


Victoria Méndez, City Attorney

3/13/2017


Victoria Méndez, City Attorney

4/3/2017

¹ This Ordinance shall become effective as specified herein unless vetoed by the Mayor within ten (10) days from the date it was passed and adopted. If the Mayor vetoes this Ordinance, it shall become effective immediately upon override of the veto by the City Commission or upon the effective date stated herein, whichever is later.