

ORDINANCE NO. 7,670–N.S.

AMENDING THE BERKELEY MUNICIPAL CODE TO MODIFY ANY AND ALL MASCULINE AND/OR FEMININE LANGUAGE TO GENDER NEUTRAL PRONOUNS

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Section 1.04.020 is amended to read as follows:

**Section 1.04.020** Grammatical interpretation.

The following grammatical rules shall apply in the ordinances of the City of Berkeley:

- A. Gender. The gender neutral pronoun includes the feminine and masculine genders.
- B. Pronoun Singularity. “They/them” shall indicate a singular individual, unless the context indicates the contrary. In most cases, the singular number includes the plural and the plural includes the singular.
- C. Tenses. Words used in the present tense include the past and the future tenses and vice versa, unless manifestly inapplicable.
- D. Use of words and phrases. Words and phrases not specifically defined shall be construed according to the context and approved usage of the language.

Section 2. That Berkeley Municipal Code Section 4.36.110 is amended to read as follows:

**Section 4.36.110** Gender.

"Gender." Whenever a personal pronoun is used in the neutral gender, it shall be deemed to include the feminine and masculine also. “They/them” shall indicate a singular individual, unless the context indicates the contrary.

Section 3. That Berkeley Municipal Code is amended to read as follows:

**Section 4.38.110** Gender.

"Gender." Whenever a personal pronoun is used in the neutral gender, it shall be deemed to include the feminine and masculine also. “They/them” shall indicate a singular individual, unless the context indicates the contrary.

Section 4. That Berkeley Municipal Code is amended to read as follows:

**Section 4.39.110** Gender.

"Gender." Whenever a personal pronoun is used in the neutral gender, it shall be deemed to include the feminine and masculine also. "They/them", shall indicate a singular individual, unless the context indicates the contrary.

Section 5. That Berkeley Municipal Code is amended to read as follows:

**Section 11.08.050** Construction of genders.

The neutral gender includes the feminine and masculine. "They/them" shall indicate a singular individual, unless the context indicates the contrary.

Section 6. The pronouns throughout the municipal code are amended to promote gender-neutral pronouns.

Section 7. Subject to final approval by the City, the city's codifier, Code Publishing Company, has authority to degenderize the Berkeley Municipal Code and update pronouns when appropriate and also includes the updating of future ordinances by making changes such as the following:

- A. Gendered subject (he, she, etc.), object (him, her, etc.) and possessive (his, hers, etc.) pronouns shall be replaced by a gender-neutral description of the pronoun referent's title of office, employment or descriptor. For example, where a code section refers to a "Director" all subsequent gendered pronouns shall be replaced by "the Director" in the subjective case, "that Director" in the objective case and "the Director's" in the possessive case.
- B. Table 1 lists commonly encountered titles of office, employment and descriptors. All gendered pronouns within the BMC that refer back to a title of office, employment or descriptor found in Table 1 shall be replaced by the subjective, objective or possessive form of the that title of office, employment or descriptor, as the case may be. Table 1 is non-exhaustive and may be amended from time to time.

<b>Table 1</b>	
<b>Gendered Terms in Existing Code</b>	<b>Common Non-Gendered Titles of Office, Employment and Descriptors</b>
He, She, Him, Her, Himself, Herself	The Agent
He, She, Him, Her, Himself, Herself	The Alternate member
He, She, Him, Her, Himself, Herself	The Applicant
He, She, Him, Her, Himself, Herself	The Architect
He, She, Him, Her, Himself, Herself	The Assessor
He, She, Him, Her, Himself, Herself	The Attorney
He, She, Him, Her, Himself, Herself	The Candidate

He, She, Him, Her, Himself, Herself	The Chief officer
He, She, Him, Her, Himself, Herself	The Clerk
He, She, Him, Her, Himself, Herself	The Complainant
He, She, Him, Her, Himself, Herself	The Consignee
He, She, Him, Her, Himself, Herself	The Councilmember
He, She, Him, Her, Himself, Herself	The Dancer
He, She, Him, Her, Himself, Herself	The Dealer
He, She, Him, Her, Himself, Herself	The Declarant
He, She, Him, Her, Himself, Herself	The Department director
He, She, Him, Her, Himself, Herself	The Deputy
He, She, Him, Her, Himself, Herself	The Designee
He, She, Him, Her, Himself, Herself	The Detainee
He, She, Him, Her, Himself, Herself	The Director
He, She, Him, Her, Himself, Herself	The Driver
He, She, Him, Her, Himself, Herself	The Employee
He, She, Him, Her, Himself, Herself	The Engineer
He, She, Him, Her, Himself, Herself	The Entertainer
He, She, Him, Her, Himself, Herself	The Examiner
He, She, Him, Her, Himself, Herself	The Executive
He, She, Him, Her, Himself, Herself	The Executor
He, She, Him, Her, Himself, Herself	The Felon
He, She, Him, Her, Himself, Herself	The Fire Marshall
He, She, Him, Her, Himself, Herself	The Franchisee
He, She, Him, Her, Himself, Herself	The Franchisor
He, She, Him, Her, Himself, Herself	The Guarantee
He, She, Him, Her, Himself, Herself	The Guarantor
He, She, Him, Her, Himself, Herself	The Individual
He, She, Him, Her, Himself, Herself	The Inspector
He, She, Him, Her, Himself, Herself	The Investigator
He, She, Him, Her, Himself, Herself	The Leaver
He, She, Him, Her, Himself, Herself	The Lessee
He, She, Him, Her, Himself, Herself	The Lessor
He, She, Him, Her, Himself, Herself	The Licensee
He, She, Him, Her, Himself, Herself	The Lobbyist
He, She, Him, Her, Himself, Herself	The Manager
He, She, Him, Her, Himself, Herself	The Member
He, She, Him, Her, Himself, Herself	The Merchant
He, She, Him, Her, Himself, Herself	The Mortgagee
He, She, Him, Her, Himself, Herself	The Mortgagor
He, She, Him, Her, Himself, Herself	The Offender
He, She, Him, Her, Himself, Herself	The Officer

He, She, Him, Her, Himself, Herself	The Official
He, She, Him, Her, Himself, Herself	The Operator
He, She, Him, Her, Himself, Herself	The Owner
He, She, Him, Her, Himself, Herself	The Pawn broker
He, She, Him, Her, Himself, Herself	The Permit holder
He, She, Him, Her, Himself, Herself	The Permittee
He, She, Him, Her, Himself, Herself	The Person
He, She, Him, Her, Himself, Herself	The Physician
He, She, Him, Her, Himself, Herself	The Principal
He, She, Him, Her, Himself, Herself	The Prisoner
He, She, Him, Her, Himself, Herself	The Probationer
He, She, Him, Her, Himself, Herself	The Promoter
He, She, Him, Her, Himself, Herself	The Public records officer
He, She, Him, Her, Himself, Herself	The Purchaser
He, She, Him, Her, Himself, Herself	The Respondent
He, She, Him, Her, Himself, Herself	The Secondhand dealer
He, She, Him, Her, Himself, Herself	The Seller
He, She, Him, Her, Himself, Herself	The Servant
He, She, Him, Her, Himself, Herself	The Sheriff
He, She, Him, Her, Himself, Herself	The Solicitor
He, She, Him, Her, Himself, Herself	The Sponsor
He, She, Him, Her, Himself, Herself	The Station manager's
He, She, Him, Her, Himself, Herself	The Suspended person
He, She, Him, Her, Himself, Herself	The Tenant
He, She, Him, Her, Himself, Herself	The Trespasser
He, She, Him, Her, Himself, Herself	The Trustee
He, She, Him, Her, Himself, Herself	The Vendor

C. Each specifically gendered term identified in column A of Table 2, and which is also found within the Berkeley Municipal Code, shall be replaced by the corresponding non-gendered term identified in column B. Table 2 is non-exhaustive and may be amended from time to time.

<b>Table 2</b>	
<b>Gendered Terms Commonly Found in Existing Code</b>	<b>Non-Gendered Term Replacement</b>
"Bondsman"	"Bonds-person"
"Brother"	"Sibling"
"Chairman"	"Chair," "chairperson"

“Craftsmen”	“Craftspeople,” “artisans”
“Fireman,” “Firewoman,” “Firemen,” “Firewomen”	“Firefighter,” “firefighters”
“Fraternal”	“Social”
“Heirs”	“Beneficiaries”
“Journeyman”	“Journey”
“Maiden”	“Family”
“Male” and “female”	“People of different genders”
“Manhole”	“Maintenance hole”
“Manmade”	“Human-made” “Artificial” “manufactured” “machine made” “synthetic”
“Manpower”	“Human effort”
“Manpower”	“Workforce”
“Master”	“Captain,” “Skipper,” “Pilot,” “Safety Officer,” “Central”
“Men and women”	“People”
“Men or women”	“A single gender”
“Ombudsman”	“Ombuds,” “Investigating Official”
“Patrolmen”	“Patrol,” “Guards”
“Policeman,” “Policewoman,” “Policemen,” “Policewomen”	“Police Officer,” “Police Officers”
“Pregnant” (woman, women)	“Pregnant employees”
“Repairman”	“Repairs,” “Repairer”
“Salesman”	“Salesperson,” “Salespeople”
“Sister”	“Sibling”
“Sorority,” “Fraternity”	“Collegiate Greek system residence”
“Sportsman”	“Hunters”
“The masculine pronoun includes the feminine”	“Words referring to a specific gender may be extended to any other gender”
“Watchmen”	“Guards”

Section 8. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of Council Chambers, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on July 16, 2019, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Davila, Droste, Hahn, Harrison, Kesarwani, Robinson, Wengraf, and Arreguin.

Noes: None.

Absent: None.