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V.1



cjc

Sponsor: Gossett

Proposed No.: 2017-0487

1 **STRIKING AMENDMENT TO PROPOSED ORDINANCE 2017-0487, VERSION**

2 **1**

3 On page 1, beginning on line 15, strike everything through page 19, line 451, and insert:

4 "PREAMBLE:

5 It is hereby affirmed that Martin Luther King, Jr., County upholds justice
6 and equity for all residents.

7 The Reverend Doctor Martin Luther King, Jr., County, named in honor of
8 the Reverend Doctor Martin Luther King, Jr., is a "home rule" government
9 under Article XI, Section 4, of the Washington State Constitution. Under
10 its home rule power, the Reverend Doctor Martin Luther King, Jr., County
11 may exercise any power and perform any function, unless preempted by
12 state or federal law, relating to its government and affairs, including the
13 power to regulate for the protection and rights of its inhabitants. To this
14 end, the Reverend Doctor Martin Luther King, Jr., County is dedicated to
15 providing all of its resident's fair and equal access to services,
16 opportunities and protection.

17 Ensuring that all of the Reverend Doctor Martin Luther King, Jr., County's
18 residents have access to necessary services and benefits is essential for

19 upholding the county's commitment to fair and equal access for all
20 residents.

21 The enforcement of civil immigration laws has historically been a federal
22 government responsibility through the Immigration and Naturalization
23 Service. Since 2002, matters of immigration law have been handled by
24 the Immigration and Customs Enforcement, a branch of the Department of
25 Homeland Security. The federal courts have determined that the
26 enforcement of civil immigration laws are a federal responsibility.

27 King County seeks to protect the federal and state constitutional rights of
28 all persons in Washington, including immigrants, by clearly articulating its
29 policies and practices.

30 A goal of this ordinance is to foster trust and cooperation between law
31 enforcement officials and immigrant communities to heighten crime
32 prevention and public safety.

33 Since 1992, the Reverend Doctor Martin Luther King, Jr., County sheriff's
34 office, has embraced this goal and outlined supporting policies in its
35 operations manual, with which this ordinance is consistent.

36 In 2014, the county enacted Ordinance 17886, which ensured that the
37 department of adult and juvenile detention would honor administrative
38 detainers from the federal government only when certain conditions were
39 met. Based on federal court decisions that determined that holding
40 persons in custody based solely on a detainer is unconstitutional, the
41 county limited the honoring of immigration detainers to only those

42 accompanied by a judicial warrant.

43 Another goal of this ordinance is to promote the public health of the

44 Reverend Doctor Martin Luther King, Jr., County residents.

45 On April 22, 2008, the Reverend Doctor Martin Luther King, Jr., County

46 superior court affirmed the principle that our courts must remain open and

47 accessible for all persons and families to resolve disputes on the merits by

48 adopting a policy that warrants for the arrest of persons based on their

49 immigration status shall not be executed within any of the superior court

50 courtrooms unless directly ordered by the presiding judicial officer and

51 shall be discouraged in the superior court courthouses, unless the public's

52 safety is at immediate risk.

53 This ordinance is intended to be consistent with federal laws regarding

54 communications between local jurisdictions and federal immigration

55 authorities, including but not limited to United States Code Title 8,

56 Section 1373.

57 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

58 NEW SECTION. SECTION 1. There is hereby added to K.C.C. chapter 2.15 a

59 new section to read as follows:

60 The definitions in this section apply throughout this chapter unless the context

61 clearly requires otherwise.

62 A. "Administrative warrant" means a noncriminal immigration warrant of arrest,

63 order to detain or release aliens, notice of custody determination, notice to appear,

64 removal order, warrant of removal or any other document, issued by ICE, CBP or USCIS

65 that can form the basis for an person's arrest or detention for a civil immigration
66 enforcement purpose. ICE administrative warrant forms include the U.S. DHS form I-
67 200 (Rev. 09/16) "Warrant for Arrest of Alien" and Form I-205 "Warrant Of
68 Removal/Deportation," as well as predecessor and successor versions. "Administrative
69 warrant" does not include any criminal warrants issued upon a judicial determination of
70 probable cause and in compliance with the Fourth Amendment to the United States
71 Constitution.

72 B. "Agency" means a King County department, agency, division, commission,
73 council, committee, board, other body or person, established by authority of an
74 ordinance, executive order, or charter.

75 C. "Agent" means any person acting within the scope of employment by or acting
76 on behalf of an agency.

77 D. "_CBP" means the United States Customs and Border Protection agency of the
78 United States Department of Homeland Security and shall include any successor federal
79 agency charged with border enforcement.

80 E. "Citizenship or immigration status" means all matters regarding questions of
81 citizenship of the United States or any other country, the authority to reside in or
82 otherwise be present in the United States, the time and manner of a person's entry into the
83 United States, or any other immigration matter enforced by the Department of Homeland
84 Security, its predecessor or successor or other federal agency charged with the
85 enforcement of civil immigration laws.

86 F. "Civil immigration enforcement operation" means any operation that has as
87 one of its objectives the identification or apprehension of a person or persons in order to

88 investigate them for a violation of the immigration laws and subject them to one or more
89 of the following:

- 90 1. Civil immigration detention;
- 91 2. Removal proceedings; and
- 92 3. Removal from the United States.

93 G. "Coerce" means to use express or implied threats towards a person or any
94 family member of a person that attempts to put the person in immediate fear of the
95 consequences in order to compel that person to act against his or her will.

96 H. "Commitment" means confinement in secure detention for a specified amount
97 of time following a determination of guilt. It does not include pre-trial detention of any
98 persons such as those who unable to post bail.

99 I. "ICE" means the United States Immigration and Customs Enforcement agency
100 including Enforcement and Removal Operations and Homeland Security Investigations
101 and shall include any successor federal agency charged with the enforcement of
102 immigration laws.

103 J. "Employee" means any individual who is appointed as an employee by the
104 appointing authority of a county agency, office, department, council, board, commission or
105 other separate unit or division of county government, however designated, but does not
106 include employees of the county's judicial branch. "County employee" also includes
107 county elected officials and members of county boards, commissions, committees or other
108 multimember bodies, but does not include officials or employees of the county's judicial
109 branch but does include employees of the department of judicial administration.

110 K. "Immigration detainer" means a request by ICE to a federal, state or local law

111 enforcement agency, such as the King County department of adult and juvenile detention,
112 to provide notice of release or maintain custody of an person based on an alleged
113 violation of a civil immigration law. "Immigration detainer" includes a detainer issued
114 under Sections 236 or 287 of the Immigration and Nationality Act or 287.7 or 236.1 of
115 Title 8 of the Code of Federal Regulations. "Immigration detainer" includes a detainer
116 issued under DHS form I-274A entitled Immigration Detainer- Notice of Action, as well
117 as well as predecessor and successor versions.

118 L. "Nonpublic" means any area of a county facility, including the secure
119 detention facilities of the department of adult and juvenile detention that is not generally
120 open and accessible to the general public, but instead requires special permission for
121 admittance by a county employee on an individual basis.

122 M. "Personal information" means one or more of the following, when the
123 information is linked with or is reasonably linkable, including via analytic technology, to
124 the person's first name or first initial and last name:

- 125 1. Home address;
- 126 2. Work address;
- 127 3. Telephone number;
- 128 4. Electronic mail address;
- 129 5. Social media handle or other identifying social media information;
- 130 6. Any other means of contacting an individual;
- 131 7. Social security number;
- 132 8. Driver's license number or Washington identification card number;
- 133 9. Bank account number or credit or debit card number;

134 10. Information or data collected through the use or operation of an automated
135 license plate recognition system; and

136 11. User name that, in combination with a password or security question and
137 answer, would permit access to an online account.

138 N. "USCIS" shall mean the United States Citizenship and Immigration Services
139 and any successor agency charged with overseeing United States immigration laws

140 O. "Verbal abuse" means the use of a remark which is overtly insulting, mocking
141 or belittling directed at a person based upon the actual or perceived:

142 1. Race, color, sex, religion, national origin, English proficiency, sexual
143 orientation or gender identity of the person; or

144 2. Citizenship or immigration status of the person or the person's family
145 member.

146 SECTION 2. Ordinance 16692, Section 2, and K.C.C. 2.15.010 are each
147 amended to read as follows:

148 A. Except as otherwise provided in this section or when otherwise required by
149 law, a Reverend Doctor Martin Luther King, Jr., County office, department, employee,
150 agency or agent shall not condition the provision of county services on the citizenship or
151 immigration status of any person.

152 ~~B.((1. Nothing in this section shall be construed to prohibit any King County~~
153 ~~officer or employee from participating in cross-designation or task force activities with~~
154 ~~federal law enforcement authorities.~~

155 ~~2. The Reverend Doctor Martin Luther King, Jr., County sheriff's office personnel~~
156 ~~shall not request specific documents relating to a person's civil immigration status for the~~

157 ~~sole purpose of determining whether the individual has violated federal civil immigration~~
158 ~~laws. The documents include but are not limited to:~~

159 ~~a. passports;~~

160 ~~b. alien registration cards; or~~

161 ~~c. work permits.~~

162 ~~3. The Reverend Doctor Martin Luther King, Jr., County sheriff's office personnel~~
163 ~~may use documents relating to a person's civil immigration status if the documents are~~
164 ~~offered by the person upon a general, nonspecific request.~~

165 ~~4. The Reverend Doctor Martin Luther King, Jr., County sheriff's office personnel~~
166 ~~shall not use stops for minor offenses or requests for voluntary information as a pretext for~~
167 ~~discovering a person's immigration status.~~

168 ~~5. The Reverend Doctor Martin Luther King, Jr., County sheriff's office personnel~~
169 ~~shall not initiate any inquiry or enforcement action based solely on a person's:~~

170 ~~a. civil immigration status;~~

171 ~~b. race;~~

172 ~~c. inability to speak English; or~~

173 ~~d. inability to understand the deputy.)) By December 31, 2018, all applications,~~

174 ~~questionnaires and interview forms used in relation to the provision of county benefits,~~

175 ~~opportunities or services shall be reviewed by each agency, and any question requiring~~

176 ~~disclosure of information related to citizenship or immigration status, unless required by~~

177 ~~state or federal law, or international treaty, shall be, in the agency's best judgment, either~~

178 ~~deleted in its entirety or revised such that the disclosure of such information is no longer~~

179 ~~required. Agencies that have a need for the collection of demographic data related to~~

180 immigration status for performance measurement shall identify mechanisms that will
181 allow for the separation of the demographic information from personally identifying
182 information.

183 C. The Seattle-King County department of public health shall not condition the
184 provision of health benefits, opportunities or services on matters related to citizenship or
185 immigration status. The Seattle-King County department of public health may inquire
186 about or disclose information relating to a person's citizenship or immigration status for
187 the purpose of determining eligibility for benefits or seeking reimbursement from federal,
188 state or other third-party payers.

189 D. Except when otherwise required by law, where the county accepts
190 presentation of a state-issued driver's license or identification card as adequate evidence
191 of identity, presentation of a state-issued document marked as not valid for federal
192 purposes or presentation of a photo identity document issued by the person's nation of
193 origin, such as a driver's license, passport or ~~((matricula consular, which is a consulate-~~
194 ~~issued document,)) other consul-issued document, such as a Matrícula Consular de Alta
195 Seguridad, shall also be accepted and shall not subject the person to a higher level of
196 scrutiny or different treatment than if the person had provided a Washington state driver's
197 license or identification card. However, a request for translation of such a document to
198 English shall not be deemed a violation of any provision of ~~((Ordinance 16692 and any~~
199 ~~subsequent ordinance)) this chapter. This ~~((provision))~~ subsection does not apply to
200 documentation required to complete a federal I-9 employment eligibility verification
201 form.~~~~

202 E. ~~((This section does not create or form the basis for liability on the part of the~~

203 county, its officers, employees or agents.

204 F. ~~Unless permitted by this section or otherwise required by state or federal law~~
205 ~~or international treaty, all applications, questionnaires and interview forms used in~~
206 ~~relation to the provision of county benefits, opportunities or services shall be promptly~~
207 ~~reviewed by each agency, and any question requiring disclosure of information related to~~
208 ~~citizenship or immigration status shall be, in the agency's best judgment, either deleted in~~
209 ~~its entirety or revised such that the disclosure is no longer required.~~

210 ~~The review and revision shall be completed within one hundred and eighty days~~
211 ~~of November 29, 2009.)~~ An agent, employee or agency of King County shall not inquire
212 about or request information about or otherwise investigate the citizenship or
213 immigration status or place of birth of any person unless the inquiry, request or
214 investigation is required by state or federal law, regulation or directive or court order, or
215 to ensure compliance with any state or federal law, regulation or directive or court order.
216 When an inquiry, request, or investigation into nationality, immigration status or
217 citizenship, including place of birth, is required to be or for any reason is made, the King
218 County agent or employee shall not attempt to coerce a response. All persons to whom
219 the inquiries are made shall be explicitly informed of their right to decline to respond,
220 free from fear or threat of retaliation.

221 F. Agents and employees of King County are hereby prohibited from
222 conditioning King County services on immigration status, except where required under
223 applicable federal or state law or regulation or directive or court order. Agents and
224 employees of King County are prohibited from verbally abusing or coercing persons or
225 threatening to report them or their family members to ICE or threatening to take other

226 immigration-related action against them or their family members.

227 G. Except where necessary to provide King County services, or where otherwise
228 required by state or federal law or regulation or directive or court order, King County
229 agents and employees are not permitted to either maintain or share, or both, personal
230 information, including, but not limited to, personal information or information about
231 national origin, race, ethnicity, language proficiency, religion, sexual orientation, gender
232 identity, disability, housing status, financial status, marital status, status as a victim of
233 domestic violence, criminal history, release date from incarceration or confinement in a
234 secure detention or other custody or status as a veteran.

235 H. Nothing in this chapter shall be construed as to prohibit any King County
236 employee, upon request of the noncitizen, from aiding a noncitizen to obtain immigration
237 benefits pursuant federal immigration law.

238 I. An agent or employee of King County shall not expend any time, moneys or
239 other resources on facilitating the civil enforcement of federal immigration law or
240 participating in civil immigration enforcement operations, except where state or federal
241 law, regulation or court order shall so require, including by way of example, 8 U.S.C.
242 Sec. 1373.

243 J. Nothing in this section shall be construed to prohibit any King County
244 employee from participating in cross-designation or task force activities with federal law
245 enforcement authorities for criminal law enforcement.

246 NEW SECTION. SECTION 3. There is hereby added to K.C.C. chapter 2.15 a
247 new section to read as follows:

248 A. The King County sheriff's office shall not request specific documents relating

249 to a person's civil immigration status for the sole purpose of determining whether the
250 person has violated federal civil immigration laws. The documents include but are not
251 limited to:

- 252 1. Passports;
- 253 2. Alien registration cards; or
- 254 3. Work permits.

255 B. The sheriff's office may use documents relating to a person's civil immigration
256 status if the documents are offered by the person upon a general, nonspecific request.

257 C. The sheriff's office shall not use stops for minor offenses or requests for
258 voluntary information as a pretext for discovering a person's immigration status.

259 D. The sheriff's office shall not initiate any inquiry or enforcement action based
260 solely on a person's:

- 261 1. Civil immigration status;
- 262 2. Race;
- 263 3. Inability to speak English;
- 264 4. Inability to understand the sheriff's office personnel; or
- 265 5. Hit on the National Crime Information Center database.

266 SECTION 4. Ordinance 17706, Section 2, as amended, and K.C.C. 2.15.020 are
267 each amended to read as follows:

268 A. ~~((It is the policy of the county to only honor civil immigration hold requests from~~
269 ~~United States Immigration and Customs Enforcement for individuals that are accompanied~~
270 ~~by a criminal warrant issued by a U.S. District Court judge or magistrate.~~

271 ~~B. The department of adult and juvenile detention shall compile a listing all~~
272 ~~immigration detainees received by the department, showing detainees received and detainees~~

273 ~~accompanied by federal judicial warrants. Beginning May 1, 2014, the department shall~~
274 ~~prepare and transmit to the council a quarterly report showing the number of detainees~~
275 ~~received and the number of detainees that were accompanied by a federal judicial warrant~~
276 ~~with descriptive data that includes but is not limited to: the types of offenses that individuals~~
277 ~~with detainees accompanied by a federal judicial warrant were being held, the reason for~~
278 ~~release from county custody, the length of stay for each individual before the detainer~~
279 ~~accompanied by a federal judicial warrant was executed, and the number of individuals that~~
280 ~~had detainees but were transferred to federal or state department of corrections' custody.~~
281 ~~The reports called for in this section shall be transmitted in the form of a paper original and~~
282 ~~an electronic copy to the clerk of the council, who shall distribute electronic copies to all~~
283 ~~councilmembers and the lead staff for the committee of the whole, and the law, justice,~~
284 ~~health and human services committee, or their successors.)) An agent or employee of~~
285 King County shall not expend any time, moneys or other resources on facilitating the
286 civil enforcement of federal immigration law or participating in civil immigration
287 enforcement operations, except where state or federal law, regulation or court order
288 shall so require, including by way of example, 8 U.S.C. Sec. 1373.

- 289 B. King County and its agents, departments and employees shall not:
- 290 1. Enter into any contract, agreement or arrangement, whether written or oral,
291 that would grant federal civil immigration enforcement authority or powers to King
292 County or its agents or law enforcement officers, including but not limited to
293 agreements created under 8 U.S.C. Sec. 1357(g) or Intergovernmental Service
294 Agreements;
- 295 2. Honor immigration detainer requests or administrative warrants issued by
296 ICE, CBP or USCIS, or hold any person upon the basis of an ICE, CBP or USCIS

297 detainer request or administrative warrant unless such request or warrant is
298 accompanied by a criminal warrant issued by a United States District Court judge or
299 magistrate. The sheriff's office or the department of adult and juvenile detention
300 personnel shall not carry out a civil arrest, detain a person after the release date set by a
301 court or refuse to accept a bond based on an administrative warrant separately or in
302 combination with an ICE detainer request;

303 3. For purposes of execution of federal civil immigration enforcement, permit
304 ICE, CBP or USCIS officers, agents or representatives access to nonpublic areas of
305 King County's facilities, property, equipment or nonpublic databases, or nonpublic
306 portions of otherwise public databases, or people in King County's custody, absent a
307 judicial criminal warrant specifying the information or persons sought unless otherwise
308 required by state or federal law. Any warrantless attempts or requests for access to
309 those facilities, property, equipment or nonpublic databases shall be immediately sent to
310 the director or their designee responsible for the operation of the facility, property,
311 database or equipment. Permission to access any such a facility, property, equipment or
312 nonpublic database without a judicial criminal warrant may only be provided with the
313 express, written approval of the appropriate person. Any detention facilities, including
314 secure detention facilities, prisons and halfway houses, that King County contracts with
315 or leases land to for the purposes of criminal or civil detention must include the
316 requirement in this subsection B.3. in any contract with King County; and

317 4. Provide information to federal immigration authorities for purpose of civil
318 immigration enforcement, except as required by state or federal law, about any person,
319 including, but not limited to, a person's personal information, place of birth or

320 household members, the services received by the person or the person's next court date
321 or release date, absent a warrant signed by a judge or a law requiring disclosure.

322 C. It is the policy of King County to obtain the minimum information required
323 under RCW 10.70.140 and to provide it to immigration officials after the person has
324 been convicted and sentenced. In complying with state statute, department of adult and
325 juvenile detention personnel shall only inquire as to the nationality of persons who have
326 been committed to secure detention after an adjudication of guilt and imposition of
327 sentence. Only persons who self-identify as being nationals of a country other than the
328 United States shall be subject to the notification requirements of RCW 10.70.140.

329 D.1. If permission to access a King County detention facility without a judicial
330 criminal warrant is granted to ICE, CBP or USCIS in accordance with subsection B.3.
331 of this section for the purpose of conducting an interview regarding civil immigration
332 violations between either ICE or CBP, or both, and a person who is in the custody of the
333 department of adult and juvenile detention, the department of adult and juvenile
334 detention shall provide the person with an oral explanation and a written consent form
335 that explains the purpose of the interview, that the interview is voluntary and that the
336 person may decline to be interviewed or may choose to be interviewed only with the
337 person's attorney present. The form shall state explicitly that the person will not be
338 punished or suffer retaliation for declining to be interviewed. The form shall be
339 available in English, Spanish and any other language spoken by ten thousand limited-
340 English-proficient residents and explained orally to a person who is unable to read the
341 form. Either ICE or CBP officials, or both, shall only be permitted to interview persons
342 who have consented in writing to be interviewed, absent a judicial criminal warrant.

343 2. Upon receiving any ICE hold, notification or transfer request, department of
344 adult and juvenile detention personnel shall provide a copy of the request to the person
345 and inform the person whether the department intends to comply with the request.

346 3. Consistent with Article 36 of the Vienna Convention on Consular Relations,
347 any person in custody or detention shall be informed through the person's attorney of the
348 right to communicate with the consular post of a country of which the person is a
349 national, if other than the United States, and informed that the person's consular officers
350 have the right to visit, converse or correspond with the person, if the person wishes the
351 communication. If a person chooses to disclose that the person is a foreign national and
352 requests consular notification, the custodian shall contact the appropriate consulate. The
353 informed consent requirements of the Vienna Convention on Consular Relations shall
354 apply to all such inquiries. The same requirements shall apply to inquiries into
355 nationality status for the purpose of complying with mandatory consular notification
356 under any bilateral consular convention. In all cases, identification as a foreign national
357 shall be voluntary and based on informed consent by the person.

358 4. King County shall consider all records relating to ICE, CBP or USCIS access
359 to facilities and information, including all communications with ICE, CBP or USCIS to
360 be public records for purposes of state public records law King County shall handle all
361 such requests in accordance with the usual procedures for receipt of public records
362 requests.

363 NEW SECTION. SECTION 5. There is hereby added to K.C.C. chapter 2.15 a
364 new section to read as follows:

365 A. King County and all its contractors shall provide free language assistance

366 services as required by this chapter to limited-English-proficient persons. King County
367 agencies and offices shall either employ sufficient bilingual employees or contract with
368 telephonic translation services to provide services in languages spoken by ten thousand
369 limited-English-proficient county residents. King County agencies and offices shall
370 provide vital documents in languages spoken by ten thousand limited-English-proficient
371 residents. All agencies and offices shall maintain recorded telephone messages in each
372 language. Agencies and offices must submit a compliance plan to the county council
373 annually. The compliance plans called for in this section shall be transmitted in the form
374 of a paper original and an electronic copy to the clerk of the council, who shall distribute
375 electronic copies to all councilmembers and the lead staff for the committee of the whole,
376 the law and justice committee, the health, housing and human services committee or their
377 successors.

378 B. When a limited-English-proficient person seeks or receives benefits or
379 services from a local agency, office or contractor, the agency, office or contractor shall
380 make reasonable efforts provide prompt language assistance services in all interactions
381 with the person, whether the interaction is by telephone or in person. The agency, office
382 or contractor shall meet its obligation to provide prompt language assistance services for
383 purposes of this subdivision by ensuring that limited-English-proficient persons do not
384 have to wait unreasonably longer to receive assistance than persons who do not require
385 language assistance services. King County agencies shall provide support to contractors
386 to meet the requirements of this section.

387 C. Where an application or form administered by King County requires
388 completion in English by a limited-English-proficient person for submission to a local,

389 state or federal authority, King County or its contractor shall make reasonable efforts to
390 provide oral translation of the application or form as well as certification by the limited-
391 English proficient-person that the form was translated and completed by a qualified
392 interpreter. King County agencies shall provide support to contractors to meet the
393 requirements of this section.

394 D. King County shall make reasonable efforts to provide language assistance
395 services in person by qualified bilingual personnel.

396 SECTION 6. NEW SECTION. There is hereby added to K.C.C. chapter 2.15 a
397 new section to read as follows:

398 A person who has been injured or otherwise sustained damages as a result of a
399 violation of this chapter may file a complaint with the King County office of civil rights
400 in accordance with King County Code Section 12.22.040.

401 SECTION 7. NEW SECTION. There is hereby added to K.C.C. chapter 4A.200
402 a new section to read as follows:

403 A. There is hereby created the immigrant and refugee assistance fund.

404 B. The fund shall be a first tier fund. It is a special revenue fund.

405 C. The director of the department of executive services shall be the manager of
406 the fund.

407 D. The fund shall be used to collect revenue from state, local and other funding
408 sources and to expend direct service and related administration dollars to provide legal
409 representation for indigent immigrants and refugees in deportation proceedings in
410 immigration court and to support citizenship services for these citizens. The fund may
411 also be used for English language classes for immigrants and refugees.

412 SECTION 8. The provisions of sections _____ this
413 ordinance become effective on January 1, 2019.

414 SECTION 9. Severability. If any provision of this ordinance or its application to
415 any person or circumstance is held invalid, the remainder of the ordinance or the
416 application of the provision to other persons or circumstances is not affected."

417

418 **EFFECT: Addresses issues identified by legal counsel and others.**