

Gender Neutralization Report for the Town of Los Gatos, CA

Changing the term "he" to "they;"
Changing the term "she" to "they;"
Changing the term "his" to "their;"
Changing the term "her" to "their;"
Changing the term "him" to "them;"
Changing the term "himself" to "themselves;"
Changing the term "herself" to "themselves;"
Changing the term "workman" to "worker;"
Changing the term "workmen" to "workers;"
Changing the term "man or woman" to "person;"
Changing the term "men or women" to "persons;" and

Additional terms, such as:

"male"

"female"

"airmen"

"foreman"

"man-made"

"workmanlike"

were found in review of the Code of Ordinances, and where they were identified, suggestions were made as to language that would more reasonably confer gender neutrality.

<i>Code Section</i>	<i>Text</i>	<i>Context Change (If Needed)</i>
1.30.040	(d) The failure of any recipient of an administrative citation to appear at the administrative citation hearing shall constitute a forfeiture of the penalty and a failure to exhaust his or her administrative remedies.	
1.30.045	(b) If the Hearing Officer determines that the administrative citation should be upheld, he or she shall impose a penalty not to exceed the maximum provided in the schedule of administrative penalties adopted by the Town Council resolution in effect on the date when the violation occurred.	
2.50.205	(c)(7) Should a Citizen Appointee resign or otherwise leave office prior to the end of his or her term, the appointing Town Council member for that Citizen Appointee	

	shall, as soon as practicable, appoint a new Citizen Appointee to serve the remainder of the term.	
2.50.225	<p>(a)(3)a. The Town Manager shall respond in writing to the Finance Commission providing his or her rationale for accepting or rejecting each of the Finance Commission's comments and recommendations prior to presenting the CAFR to the Town Council for formal consideration.</p> <p>(a)(3)b. The Town Manager may not present the CAFR to the Town Council for formal consideration unless or until he or she considers and responds in writing to all of the Finance Commission's comments and recommendations.</p>	
3.40.020	<p>(a) (1) Male or female genitals;</p> <p>...</p> <p>(4) Female breast below a point immediately above the top of the nipple; or</p> <p>(5) Female breast with only the nipple and areola covered.</p>	Replace with "human"
4.10.010	Health officer: The director of public health or any person authorized to act on his or her behalf.	
4.10.040	(a) ... If the owner or person in charge of any dead animal is unable to provide for burial or other disposition, he or she may request the animal control officer to dispose of the body of such animal.	
4.30.015	The animal control officer will give notice of impoundment to the owner of every animal impounded, if he or she is known, by either posting a written notice of the impound in a conspicuous place at the owner's residence, or personally delivering the notice to the owner on the day of the impound.	
4.30.030	(c) If the owner or person with the right to control the animal wishes to challenge the seizure or impoundment, he or she shall so advise the Town Manager, in writing, within seventy-two (72) hours after the seizure or impoundment.	
4.40.005	(a) The owner or person with the right to control any dog shall keep such dog under his or her own physical restraint by means of a leash not to exceed six (6) feet in length, or shall keep such dog confined behind a fence not less than six (6) feet high.	

	<p>(c)(1) Keep the dog under his or her own physical restraint by means of both a sturdy, non-retractable leash not to exceed three (3) feet in length and capable of restraining four (4) times the weight of the dog;</p> <p>(c)(4)\The Town Manager or designee may, in his or her discretion, require that a dangerous dog be maintained in an enclosed and locked pen or kennel having secured sides and a secured top attached to the sides, and having a secure bottom or floor attached to the side, or with sides embedded not less than two (2) feet into the ground.</p>	
4.40.010	<p>(b) No person shall allow the parturition and rearing of more than one (1) litter of dogs or cats in any one (1) calendar year from females owned by him or her or maintained on his or her premises without a valid permit from the Town Manager for a private kennel, commercial kennel, or animal shelter.</p>	
4.60.015	<p>(d)(1) The Town Manager shall have the authority to enter the animal facility when he or she has reason to believe that the provisions of the permit, this chapter or applicable state law, are being violated.</p>	
4.70.010	<p>Notwithstanding anything to the contrary, the Town Manager may deny or revoke a permit to keep or maintain any dangerous or exotic animal when, in his or her opinion:</p> <p>The Town Manager in his or her discretion may require any such animal to be properly caged, tethered, or restrained in zoo-type facilities that meet or are in addition to, or more restrictive than, state guidelines issued under the provisions of section 671 of title 14 of the California Code of Regulations and federal standards issued under chapter 1 of title 9 of the Code of Federal Regulations.</p>	
11.40.060	<p>(a) The Town Manager, or his or her designee, has primary responsibility for enforcement of this [article]. The Town Manager is authorized to promulgate regulations and to take any and all other actions reasonable and necessary to enforce this [article], including, but not limited to, investigating violations, issuing fines, and entering the premises of any retail establishment during business hours.</p> <p>(b) If the Town Manager or his or her designee determines that a violation of this [article] has occurred, he/she will issue a written warning notice to the operator of</p>	

	a retail establishment that a violation has occurred and the potential penalties that will apply for future violations.	
12.10.020	<i>Fill (embankment)</i> means the deposit of soil, rock or other materials placed by man and includes the conditions resulting therefrom.	
13.20.230	(1) Materials recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them if such materials are intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals; hormones; enzymes; and aflatoxins.	
14.20.115	A "peddler" is every person not having a regularly established place of business in the Town who travels from place to place, or has a stand upon any public street, alley or other public place, doorway or any building, unenclosed or vacant lot, or parcel of land, who sells, offers for sale, any goods, wares or merchandise in his possession.	
14.80.020	<i>Affected tenant.</i> A tenant whose terms and conditions of rental relationship with his or her landlord are changed by a proposed rent increase or other change in terms and conditions governed by this article.	
14.80.315	(c)(1) In the case of increased costs of debt service due to a sale or refinancing of the rental units or the building or property of which the units are a part within twelve (12) months of the increase the arbitrator shall consider evidence presented to him/her by either party on any of the factors contained in this part (1) and in parts (2) through (6) of this subsection (c).	
14.85.035	(a) <i>Criminal penalty.</i> No person shall demand, accept, receive or retain any rent in excess of the amounts allowed under this article. Any person may file a complaint regarding an alleged violation of this article with the Town's agent. The Town Attorney is authorized, in his/her discretion, to investigate and prosecute any such complaints. Any person found to have demanded, accepted, received or retained any rent in excess of the amounts allowed under this article is guilty of a misdemeanor.	
14.85.125	(b) <i>Submission of tenant's petition for a reduction in service.</i> A tenant who wishes to reduce any current rents on the basis of a reduction in service may file a petition with the Town's agent. Upon receipt, the Town's agent shall send a ballot to each affected tenant to determine his/her support for the petition.	

14.85.415	<p>(c)(1) <i>Introduction and opening statement.</i> The mediator will introduce him/herself, identify all attendees, circulate a sign-in sheet, and briefly explain the mediation process.</p> <p>(c)(5) The parties and the mediator are encouraged to conclude the mediation in one (1) session, but if the mediator in his/her discretion concludes that an additional session will be helpful to resolution, and the parties agree to attend an additional session, an additional session will be scheduled.</p>	
14.100.015	(i) <i>Town Manager.</i> The Town Manager or his or her designee.	
14.100.035	(12) The applicant refuses to indicate in writing that he or she will comply with all terms and conditions if the permit.	
14.110.015	<i>Police Chief</i> means the Los Gatos/Monte Sereno Police Chief or his or her designee.	
14.110.020	(a) Physicians, surgeons, chiropractors, acupuncturists, osteopaths, registered nurses, physical therapists or other health professionals who are duly licensed to practice their respective professions under the laws of the State of California when engaging in such practice within the scope of his or her license.	
14.110.025	(a) No person, firm, association, partnership, corporation or other entity shall have an ownership interest in or operate a Massage Establishment without first obtaining a Massage Establishment Permit from the Police Chief or his/her designee.	
14.110.035	<p>(a)(11) Whether the applicant has ever operated or been employed at any business which has been the subject of an abatement proceeding under the California Red Light Abatement Act (California Penal Code Sections 11225 through 11325) or any similar laws in other jurisdictions. If the applicant has previously worked at such a business, he/she should state on the application the name and address of the business, the dates on which the applicant was employed at such business, the name and location of the court in which the abatement action occurred, the applicable case number and the outcome of the abatement action;</p> <p>(a)(13) The name and address of the owner of the real property upon or in which the business is to be conducted. In the event the applicant is not the legal owner</p>	

	<p>of the property, the application must be accompanied by a copy of the lease and a notarized acknowledgment from the owner of the property that a Massage Establishment will be located on his/her property;</p> <p>(a)(17) A statement under penalty of perjury that the applicant has not knowingly and with the intent to deceive made any false, misleading or fraudulent statements or omissions of fact in his/her application or any other documents required by the Town to be submitted with the application;</p>	
14.110.040	<p>(b)(4) The applicant has made a false, misleading or fraudulent statement or omission of fact in his/her application or other materials submitted with the application;</p> <p>(b)(10) If an Establishment Permit or a renewal thereof is approved, the Police Chief may include such restrictions and conditions in the Establishment Permit as he or she deems reasonable and necessary under the circumstances to ensure compliance with the purposes and intent of this Article.</p> <p>(c) <i>Notice to applicant of grant or denial of application.</i> The Police Chief shall give written notice to the applicant of the grant or denial of the application for a permit by certified mail or by personal service. If the application is denied, the notice shall advise the applicant of the reasons for the denial and of his/her right to appeal the decision to the Town Manager through the procedures set forth in subsection (d) below.</p> <p>(d)(3) <i>Hearing before the Town Manager or designee.</i> At the hearing, both the applicant and the Police Chief shall have the right to appear and be represented by counsel, and to present evidence and arguments relevant to the grounds on which the decision to deny the application is appealed. The burden of proof shall be on the applicant to demonstrate that he/she meets the qualifications for a Massage Therapist Permit and is entitled to the issuance of such permit.</p>	

14.110.060	<p>(a) <i>Touching of sexual and genital parts of client during massage.</i> No Certified Massage therapist, or any other employee or contractor of a Massage Establishment shall place either his/her hand or hands upon, or touch with any part of his/her body, a sexual or genital part of any other person in the course of a massage, or massage a sexual or genital part of any other person. Sexual and genital parts shall include the genitals, pubic area, anus or perineum of any person or the vulva or breast of a female. In the case of breast massage, female clients shall sign a written consent form, provided by the establishment and/or practitioner prior to providing breast massage.</p> <p>(b) <i>Uncovering and exposure of sexual and genital parts before, during or after massage.</i> No Certified Massage Therapist, Certified Massage Practitioner, or other employee or contractor of a Massage Establishment shall uncover and expose the sexual or genital parts, as defined in subsection (a), above, of a client or themselves in the course of giving a massage, or before or after a massage. This subsection does not prohibit a client from turning over in the course of a massage, so long as the Massage Therapist holds a towel, sheet, blanket or other drape over the client to protect his/her genital and sexual parts from exposure.</p>	Remove "female"
14.110.075	<p>(b) Applications for renewal of a permit must be submitted to the Police Chief by no later than sixty (60) calendar days before the expiration of such permit on a form provided by the Police Department, which shall require the applicant for renewal to update the information contained in his/her original application. The applicant must pay the Town a non-refundable renewal fee, in the amount established by resolution of the Town Council, at the time of filing his/her application for renewal.</p> <p>(c) After investigating the application for renewal, the Police Chief may renew the permit if the applicant continues to meet the standards for the issuance of a permit, and none of the grounds for denial of a permit set forth in subsection 14.110.040(b) exist. The Police Chief shall give the applicant for renewal written notice of his/her decision within sixty (60) calendar days of the submission of the application for renewal to the Police Department by personal service of the decision to the applicant at his/her most recent home or business address on file with the Police Department or deposit of the decision in the United States mail by certified mail.</p>	

	(d) If the holder of a Massage Establishment Permit does not file a timely application for renewal sixty (60) calendar days before expiration of the permit, he/she shall be required to file an application for a new permit pursuant to section 14.110.025 and to pay the applicable fees.	
14.110.080	<p>(a)(3) Has made a false or misleading statement or omission of fact on his/her application for a permit, or for renewal of the permit, or in any supplementary materials submitted with the application;</p> <p>(b)(2) <i>Hearing before Police Chief.</i> Following the receipt of such suspension or revocation notice and within 15 calendar days thereafter, the holder of permit may file an appeal of the suspension or revocation and request a hearing. The hearing on the revocation or suspension of the permit shall be held before the Police Chief or his/her designee no less than ten (10) calendar days after the personal service of the notice to the holder of the permit at the most recent home or business address on file with the Police Department, or no less than ten (10) calendar days after deposit of the notice, addressed to the holder of the permit or certificate, in the United States mail by certified mail.</p>	
14.120.025	(c) Possession or cultivation of marijuana or marijuana products for personal medical use by a qualified patient, consistent with a physician's recommendation, and conducted by the qualified patient or his or her primary caregiver in accordance with the parameters and limitations set out in Sections 11362.5 and Sections 11362.7 through 11362.83 of the California Health and Safety Code and any other applicable state laws.	
14.130.035	(7) The applicant, officer, employee, or agent has been determined to be within a class of persons defined in Welfare and Institutions Code Sections to have a mental defect, been committed to a mental institution, or suffer from any psychological disturbance which would impair his/her fitness to be engaged in the sales of firearms, ammunition, and/or destructive devices.	
14.140.015	<i>Community Development Director</i> means the Town of Los Gatos Community Development Director or his/her designee.	
14.140.025	(2) Representative information: The host shall provide the name, permanent address, email address, and telephone number (if different from his/her own), of a	

	<p>local representative (which can be a person or company) who can be contacted twenty-four (24) hours a day regarding the use of the property or complaints related to the short-term rental.</p> <p>(11) The Community Development Director may delay or deny issuance of a short-term rental license or renewal at his/her discretion, including, but not limited to, the following grounds:</p>	
15.10.026	(f) Shall not hitch rides by attaching himself of herself to any vehicle or other motive device, or allow a person to hitch a ride on any vehicle or motive device;	
15.30.525	(a) A full identification, and the residence and business address of the applicant, including all members of any firm or partnership, and the president and secretary of any corporation applying; if the applicant is the agent or employee of any person for whose benefit the permit is requested, this fact, with the full identification of such person and his business and residence address.	
15.40.017	(b) The foregoing exemptions shall not, however, protect the driver of any such vehicle from the consequences of his/her willful disregard of the safety of others.	
15.40.06708	If the owner of the land submits a sworn written statement denying responsibility for the presence of the vehicle on his land within such ten-day period, the statement shall be construed as a request for a hearing which does not require his presence.	
15.40.06709	<p>The owner of the land may appear in person at the hearing or present a sworn written statement in time for consideration at the hearing, and deny responsibility for the presence of the vehicle on the land, with his reasons for such denial.</p> <p>If it is determined at the hearing that the vehicle was placed on the land without the consent of the owner of the land and that he has not subsequently acquiesced in its presence, the Hearing Officer shall not assess the costs of administration or removal of the vehicle against the property upon which the vehicle is located or otherwise attempt to collect such costs from such owner of the land.</p>	

	If the owner of the land submits a sworn written statement denying responsibility for the presence of the vehicle on his land but does not appear, or if an interested party makes a written presentation to the Hearing Officer but does not appear, he shall be notified in writing of the decision.	
16.20.070	<p>(a) The Town Manager, or his or her designee, has primary responsibility for enforcement of this chapter.</p> <p>(b) If the Town Manager or his or her designee determines that a violation of this chapter has occurred, he /she will issue a written warning notice that a violation has occurred and the potential penalties that will apply for future violations.</p>	
18.60.010	<p>(a) <i>Findings and purpose.</i> Numerous studies have found that tobacco smoke is a major contributor to indoor air pollution, and that breathing secondhand and thirdhand smoke is a cause of disease, including lung cancer, in nonsmokers. At special risk are minors, elderly people, pregnant women, individuals with cardiovascular disease, and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease.</p> <p>(b)(4) <i>Employee:</i> Any person who is employed or retained as an independent contractor by an employer in consideration for direct or indirect monetary wages or profit. Also includes any person who volunteers his or her services to such and employer.</p>	Replace with "individuals"
18.60.020	<p>(o)(8) The written notice of penalties and any other reports prepared by or for the Town or its designee concerning the violation shall be admissible and accepted by the Hearing Officer as prima facie evidence of the violation and the facts stated in those documents. The Hearing Officer may continue the hearing from time to time, in his or her sole discretion, to allow for its orderly completion of the hearing.</p> <p>(p)(3) Whenever evidence of a violation of this section is obtained in any part through the participation of an individual under the age of twenty-one (21) years old, such individual shall not be required over his or her objection to appear or give testimony in any civil or administrative process brought to enforce this section</p>	

	and the alleged violation shall be adjudicated based upon the sufficiency and persuasiveness of the evidence presented.	
18.90.010	(10) <i>Visual line of sight</i> means that a person operating an unmanned aircraft has an unobstructed view of the unmanned aircraft. The operator must use his or her own natural vision (which includes vision corrected by standard eyeglasses or contact lenses) to observe the unmanned aircraft.	
18.90.030	(13) No person shall operate any UAS within the Town of Los Gatos in violation of any temporary flight restriction (TFR) or notice to airmen (NOTAM) issued by the Federal Aviation Administration.	Replace with "aviator"
23.60.025	When the chief of police has knowledge of any violation of any of the provisions of this article relating to the numbering of buildings, he shall give notice thereof to the owner or, if the owner cannot be found, to the occupant of the premises where the violation occurs, and if, after two (2) weeks, the cause of the complaint has not been removed, such person shall be guilty of a violation of this article	
24.40.035	If such order is found to be reasonable by the reviewing Engineer, such order shall be confirmed by written order to cease work delivered to the contractor or the contractor's construction foreman by the reviewing Engineer or authorized representative.	Replace with "supervisor"
25.50.075	Except in those cases where a user pays the full amount of such charges but does not pay any portion of the tax imposed by this article, or where a user has notified a supplier that he is refusing to pay the tax imposed by this article which the supplier is required to collect, if the amount paid by the user is less than the full amount of the charge and tax which has accrued for the billing period, a proportionate share of both the charge and the tax shall be deemed to have been paid.	
25.50.135	If any supplier fails to make, within the time provided in this article, any report and remittance of the tax, or any portion thereof, required by this article, the Administrator shall proceed in such manner as he/she may deem best to obtain the facts and information on which to base his estimate of the tax due. As soon as the Administrator shall procure such facts and information as he/she is able to obtain upon which to base the assessment of any tax imposed under this article and payable by any supplier who has failed or refused to make such report and remittance, the Administrator shall proceed to determine and assess against such supplier the tax, interest, and penalties provided for by this article. In case such a	

	determination is made, the Administrator shall give a notice of the amount so assessed by serving it personally or by depositing it in the United States mail, postage prepaid, addressed to the supplier so assessed at its last known address.	
25.50.150	Whenever the Administrator determines that a user has deliberately withheld the amount of any tax imposed on him by this article from the amounts remitted to a supplier required to collect the tax, or that a user has failed to pay the amount of the tax to such supplier for a period of two (2) or more billing periods, or whenever the Administrator deems it in the best interests of the Town, he/she may relieve such supplier of the obligation to collect the taxes due under this article from certain named users for specified billing periods. The Administrator shall notify the user that he/she has assumed responsibility to collect the taxes due for the stated periods and demand the payment of such taxes, plus any penalty imposed and such interest as may be due pursuant to the provisions of Sections 25.50.140 and 25.50.145 of this article. The notice shall be served on the user by handing it to him personally or by the deposit of the notice in the United States mail, postage prepaid thereon, addressed to the user at the address to which the billing was made by the supplier required to collect the tax or, should the user have changed his address, to his last known address.	
25.50.160	The Town Manager shall give notice thereof in writing to such person by serving it personally or be depositing it in the United States mail, postage prepaid, addressed to such person at his last known address.	
25.50.190	No refund shall be credited or paid by the Town pursuant to Sections 25.50.175 through 25.50.185 of this article unless the claimant establishes his right thereto by written records and other evidence satisfactory to the Administrator showing entitlement thereto.	
25.50.195	(b) Every person claiming an exemption shall file an application therefor, under penalty of perjury, with the Administrator. The Administrator may require such information as will enable him/her to determine the eligibility of the applicant for such exemption.	
25.60.060	For the purposes of this article, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination.	
25.60.110	(2) Sales of property to be used outside the Town which is shipped to a point outside	

	<p>the Town, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the Town shall be satisfied:</p> <p>a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-Town address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and</p>	
25.70.120	The Town Manager, or his or her designee, is authorized to adopt administrative regulations, procedures or guidelines that are consistent with and that further the terms and requirements of this Chapter.	
26.20.020	The amount of such trimming, or the extent of such other operations, shall be limited by the actual present necessities of the service of such utility company, and all such work shall be done in a workmanlike manner and in accordance with the requirements prescribed by the Director.	Replace with "workerlike"
28.20.155	(v) Files a statement with the Chief of Police verifying his or her agreement with the terms of this subsection and acknowledging that any taxicab operated by the taxicab operator may be inspected for compliance with Vehicle Code safety equipment requirements at the request of an authorized Town employee at any time.	
28.30.195	The permittee shall be notified in writing, hand delivered or mailed to the business address of the permittee as shown in his application of the time and place of the hearing, shall be informed of the facts on which the Chief of Police might order the suspension or revocation, and shall be given the opportunity to appear and to present evidence on the permittee's own behalf.	
28.40.045	(c) A vehicle permit shall be granted only if the Chief of Police is satisfied that the vehicle is in a safe condition such that its operation will not endanger public safety, after having been inspected by the Chief of Police or his designee.	
28.40.070	(q) The Chief of Police or his designee may order a horse-drawn vehicle operator to have any horse utilized by the operator to be examined by a veterinarian, at the operator's expense, to determine its fitness for such work and compliance with the	

	rules and regulations promulgated hereunder.	
29.90.030	<p><i>Development</i> means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.</p> <p><i>Levee</i> means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.</p>	Replace with "person-made, machine-made, or artificial"
29.90.060	Flood heights may be increased by man-made or natural causes.	Replace with "person-made, machine-made, or artificial"
30.10.020	<p>A. <i>Fire Marshal</i>. The Santa Clara County Fire Marshal or his or her designee.</p> <p>B. <i>Town Engineer</i>. The Los Gatos Town Engineer or his or her designee.</p>	
30.10.030	An owner of real property shall not allow or maintain any of the following on his or her property:	
31.10.040	Director means the Director of Parks and Public Works of the Town, or his or her designee.	