

ORDINANCE 2006-19
OFFICIAL ENGLISH ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HAZLETON AS FOLLOWS:

SECTION 1. TITLE

This chapter shall be known and may be cited as the "City of Hazleton Official English Ordinance."

SECTION 2. FINDINGS AND DECLARATION OF PURPOSE

The People of the City of Hazleton find and declare:

- A. That the English language is the common language of the City of Hazleton, of the Commonwealth of Pennsylvania and of the United States.*
- B. That the use of a common language removes barriers of misunderstanding and helps to unify the people of City of Hazleton, the Commonwealth of Pennsylvania, and the United States, and helps to enable the full economic and civic participation of all its citizens, regardless of national origin, creed, race or other characteristics, and thus a compelling governmental interest exists in promoting, preserving, and strengthening the use of the English language.*
- C. That proficiency in the English language, as well as in languages other than the English language, benefits the City of Hazleton both economically and culturally and should be encouraged.*
- D. That, in addition to any other ways to promote proficiency in the English language, the government of the City of Hazleton can promote proficiency in English by using the English language in its official actions and activities.*
- E. That in today's modern society, the City of Hazleton may also need to protect and preserve the rights of those who speak only the English language to use or obtain governmental programs and benefits.*
- F. That the government of the City of Hazleton can reduce costs and promote efficiency in its roles as employer and as a government of the people, by using the English language in its official actions and activities.*

SECTION 3. OFFICIAL ENGLISH DECLARATION

- A. The English language is the official language of the City of Hazleton.*

- B. *The City Council, Mayor, and officials of the City of Hazleton shall take all steps necessary to insure that the role of English as the common language of the City of Hazleton is preserved and enhanced.*
- C. *The government City of Hazleton shall make no policy that diminishes or ignores the role of English as the common language of the City of Hazleton.*
- D. *Official actions of the City of Hazleton that bind or commit the City of Hazleton or that give the appearance of presenting the official views or position of the City of Hazleton shall be taken in the English language, and in no other language. Unofficial or non-binding translations or explanations of official actions may be provided separately in languages other than English, if they are appropriately labeled as such and reference is made to a method to obtain the official action; unless otherwise required by federal law or the law of the Commonwealth of Pennsylvania, no person has a right to such an unofficial or non-binding translation or explanation, and no liability or commitment of the City of Hazleton shall be based on such a translation or explanation.*
- E. *No ordinance, decree, program, or policy of the City of Hazleton or any of its subdivisions shall require the use of any language other than English for any documents, regulations, orders, transactions, proceedings, meetings, programs, or publications, except as provided in Section 4.*
- F. *A person who speaks only the English language shall be eligible to participate in all programs, benefits and opportunities, including employment, provided by the City of Hazleton and its subdivisions, except when required to speak another language as provided in Section 4.*
- G. *No law, ordinance, decree, program, or policy of the City of Hazleton or any of its subdivisions shall penalize or impair the rights, obligations or opportunities available to any person solely because a person speaks only the English language.*

SECTION 4. EXCEPTIONS

The City of Hazleton and its subdivisions may use a language other than English for any of the following purposes, whether or not the use would be considered part of an official action:

- A. *To teach or encourage the learning of languages other than English.*
- B. *To protect the public health or safety.*
- C. *To teach English to those who are not fluent in the language.*
- D. *To comply with the Native American Languages Act, the Individuals with Disabilities Education Act, the Voting Rights Act, or any other federal law or law of the Commonwealth of Pennsylvania.*

- E. *To protect the rights of criminal defendants and victims of crime.*
- F. *To promote trade, commerce, and tourism.*
- G. *To create or promote mottos or designations, inscribe public monuments, and perform other acts involving the customary use of a language other than English.*
- H. *To utilize terms of art or terms or phrases from other languages which are commonly used in communications otherwise in English.*

SECTION 5. PRIVATE USE PROTECTED

The declaration and use of English as the official language of the City of Hazleton should not be construed as infringing upon the rights of any person to use a language other than English in private communications or actions, including the right of government officials (including elected officials) to communicate with others while not performing official actions of the City of Hazleton.

SECTION 6. INTERPRETATION

Nothing in this ordinance shall be interpreted as conflicting with the statutes of the United States, or the laws of the Commonwealth of Pennsylvania.

SECTION 7. SEVERABILITY

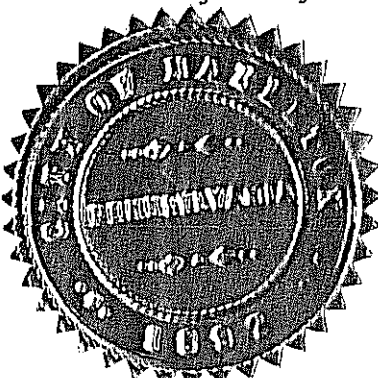
If any part or provision of this Chapter, or the applicability of any provision to any person or circumstance, is held to be invalid by a court of competent jurisdiction, the remainder of this Chapter shall not be affected thereby and shall be given effect to the fullest extent practicable.

ORDAINED by Council this 12th day of September, 2006.

/s/ Joseph Yannuzzi, Council President

I, Lisa A. Shema, Council Clerk of the City of Hazleton, do hereby certify that this is a true and correct copy of Ordinance 2006-19, which was adopted by City Council on the 12th day of September, 2006.

Given under my hand and the Seal of the City of Hazleton, County of Luzerne, Commonwealth of Pennsylvania, this 11th day of October, 2006.





Lisa A. Shema, Council Clerk