

ORDINANCE 2006-10

ILLEGAL IMMIGRATION RELIEF ACT 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 Illegal Immigration Relief Act Ordinance.”

SECTION 2. - FINDINGS AND DECLARATION OF PURPOSE

The People of the City of Hazleton find and declare:

- A. *That illegal immigration leads to higher crime rates, contributes to overcrowded classrooms and failing schools, subjects our hospitals to fiscal hardship and legal residents to substandard quality of care, contributes to other burdens on public services, increasing their cost and diminishing their availability to lawful residents, and destroys our neighborhoods and diminishes our overall quality of life.*
- B. *That the City of Hazleton is authorized to abate public nuisances and empowered and mandated by the People of Hazleton to abate the nuisance of illegal immigration by diligently prohibiting the acts and policies that facilitate illegal immigration and punishing the people and businesses that aid and abet illegal aliens.*
- C. *This ordinance seeks to secure to those lawfully present in the United States and this City, whether or not they are Citizens of the United States, the right to live in peace free of the threat of illegal alien crime, to enjoy the public services provided by this city without being burdened by the cost of providing goods, support and services to any whose presence in the United States is contrary to its laws and to be free of the debilitating effects on their economic and social well being imposed by the influx of illegal aliens to the fullest extent that these goals can be achieved consistent with the Constitution and Laws of the United States and the Commonwealth of Pennsylvania.*

SECTION 3. DEFINITIONS

Whenever used in this chapter, the following terms shall have the following meanings:

“City” means the City of Hazleton.

“Contract employer” means any person who obtains the services of one or more individuals through a day labor agency.

“Illegal Alien” means any person whose initial entry into the United States was illegal and whose current status is also illegal as well as any person who, after entering legally, has failed to leave the United States upon the expiration of his or her visa.

“Legal Work Status” means that a person’s employment is not in violation of any law of the United States, the Commonwealth of Pennsylvania or this Ordinance.

“Vehicle” means a vehicle as defined in Pennsylvania Vehicle Code as the same now reads or may hereafter be amended.

SECTION 4. BUSINESS PERMITS, CONTRACTS OR GRANTS

Any entity or any parent, affiliate, subsidiary or agent of any entity (other than a charity recognized as exempt from federal income taxation under Sec. 501 of the Internal Revenue Code of the United States and which has obtained and continues to have in force an exemption from federal income taxation), that employs, retains, aids or abets illegal aliens or illegal immigration into the United States, whether directly or by or through any agent, ruse, guise, device or means, no matter how indirect, and even if the agent or entity might otherwise be exempted from this section, or violates any provision of this Ordinance, shall from the date of the violation or its discovery, whichever shall be later, be denied and barred from approval of a business permit, renewal of a business permit, any city contract or grant as follows:

- (1) For the first violation for a period of five years,*
 - (2) For any subsequent violation, for a period of ten years.*
- A. “Aids or abets” includes, but is not limited to:*
- (i) hiring or attempted hiring of illegal aliens,*
 - (ii) providing, renting or leasing real or personal property to illegal aliens,*
 - (iii) funding or providing goods and services to illegal aliens, except as provided in Sec. 4 C.,*

- (iv) *funding, providing goods and services to or aiding in the establishment or continuation of any day labor center or other entity providing similar services, unless the entity acts with due diligence to verify the legal work status of all persons whom it employs, provides job assistance for or in any way assists or facilitates in obtaining any employment.*
- B. *Except as provided in C., any action or failure to act done within the boundaries of this City that aids and abets illegal aliens or facilitates their avoiding detection and apprehension anywhere in the United States, its territories or possessions violates this Ordinance.*
- C. *This Ordinance shall not be construed to prohibit rendering emergency medical care, emergency assistance or legal assistance.*

SECTION 5. RENTING TO ILLEGAL ALIENS

- A. *Illegal aliens are prohibited from leasing or renting property. Any property owner or renter/tenant/lessee in control of property, who knowingly allows an illegal alien to use, rent or lease their property shall be in violation of this section.*
- B. *Any person or entity that violates this Ordinance shall be subject to a fine of not less than \$1,000.00.*
- C. *A separate violation of this Ordinance shall be deemed to have been committed on each day during or on which a violation occurs or continues.*

SECTION 6. ENGLISH ONLY

- A. *The City of Hazleton declares that English is the official language of the City.*
- B. *Unless explicitly mandated by the federal government, the state of Pennsylvania or the City of Hazleton, all official city business, forms, documents, signage will be written in English only.*

SECTION 7. SEVERABILITY

If any part of provision of this Chapter is in conflict or inconsistent with applicable provisions of federal or state statutes, or is otherwise held to be invalid or unenforceable

by any court of competent jurisdiction, such part of provision shall be suspended and superseded by such applicable laws or regulations, and the remainder of this Chapter shall not be affected thereby.

ORDAINED by Council this 13th day of July, 2006.

First Reading
(June 15, 2006)

Presented Graham
Seconded Nilles
Gabos N
Graham Y
Mundie Y
Nilles Y
Yannuzzi Y

Second Reading
(July 13, 2006)

Presented Graham
Seconded Yannuzzi
Gabos Y
Graham Y
Mundie Y
Nilles N
Yannuzzi Y

Third Reading
(July 13, 2006)

Presented Graham
Seconded Yannuzzi
Gabos Y
Graham Y
Mundie Y
Nilles N
Yannuzzi Y

ORDINANCE PASSES JULY 13, 2006