

Aurora, laborers still at odds

City says it'll enforce code, might issue citations to job-hunters

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Article Last Updated: 06/06/2007 03:31:33 AM MDT

Aurora - Day-laborer advocates and city officials met Tuesday after several weeks of tension over the workers' gathering place.

Advocates asked for a moratorium on enforcing zoning codes at the site, in the parking lot of Aguila Express convenience store at East Colfax Avenue and Dayton Street.

But city officials said it's unlikely enforcement will be halted, and citations may be issued.

The advocates asked assistant city attorney Tim Joyce to relay their desire to work with the city to find a storefront location for a center and for a transition period allowing workers to continue using the parking lot.

Joyce initially refused. Later he agreed to relay the request to Councilwoman Deborah Wallace, who represents the area.

"The activity at that location of them trying to obtain work is illegal based on zoning codes," he said. "The best way would be to set up a storefront and meet all the codes and get licenses."

Harold Lasso of El Centro Humanitario para los Trabajadores, a nonprofit worker center in Denver, said a storefront takes time.

"I hope they give us time to look for a better location," he said.

A nearby employment agency, Able Body, first called police two weeks ago to complain.

Initially the city warned Sandra Gutierrez, who owns the store and parking lot, that she was violating a zoning code requiring employment agencies be 1,500 feet apart. After a review, Joyce admitted the site does not qualify as an employment agency but said Gutierrez is violating business district and zoning codes because workers solicit jobs.

"There is no freedom of speech or assembly at that location," Joyce said.

Gutierrez plans to continue to allow the workers on her property. She doesn't receive fees from them or the employers.

"I don't believe I am violating the law," said Gutierrez, an attorney in her native El Salvador.

"I don't think we would be able to do a moratorium. I think we are going to enforce the rules we do have," Wallace said.

Advocates are ready to face down the city, saying they will go to court if they must. They had

hoped to collaborate with the city on a solution, Lasso said.

"There is no law that overrides the federal law: Citizens and noncitizens can gather anywhere," he said. "We want to settle this amicably."

Cracking down on the site may drive workers to other corners around the city, Lasso said.

"They need to give us an opportunity to work," said Carlos Jimenez, 56, who uses the site to find work. "We do pay taxes here; we are not a burden."

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