

Borough Took Immigration Into Own Hands

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BRIDGEPORT - Restaurant owners Bulmaro and Carmen Olvera say Bridgeport's ban on illegal immigrants has had a chilling effect on their business' bottom line.

The couple, who owns Los Arcos Mexican Restaurant and a small grocery store on Fourth Street, link a downturn in sales since October to public discussions about a proposed prohibition on hiring or renting to illegal aliens. Borough Council adopted the Illegal Immigration Relief Act on Oct. 24. Minor changes have been made to the ordinance since then. Another newly passed ordinance requires landlords and tenants to register with the borough.

Although the Olveras are natives of Mexico, they are American citizens who pay taxes and support the local community. Yet the couple still suffer indirectly from the immigration measures.

Last Friday at 1:15 p.m., all tables at the Olveras' Fourth Street restaurant were empty.

"We're actually worried about (our business) surviving here," said Carmen Olvera.

Some of their Hispanic customers moved out of Bridgeport and no longer patronize the Fourth Street businesses.

The couple, who moved to Bridgeport in June, has six children. Prior to relocating, they lived in Norristown.

They also own the Los Arcos restaurant on Markley Street in Norristown.

The Olveras have made donations to Bridgeport's Goodwill Fire Company, George Washington Carver Center and the Montgomery County Police Chiefs Association.

"I'm trying to help the community," Mrs. Olvera said. "But with the business going down, we really can't keep giving."

Hispanic groups and the American Civil Liberties Union of Pennsylvania believe immigration enforcement should be a matter for federal agencies, not local governments.

On Friday, The Times Herald learned that a lawsuit challenging Bridgeport's ban is already in the works by two Philadelphia law firms.

Anthony DiSanto, Bridgeport's administrative consultant, said a push for the ban was motivated by a lack of U.S. legislation that's tough on illegal aliens.

"The federal government is not doing its job," DiSanto said.

At the same time, DiSanto realizes the municipality must move cautiously to enforce the new law, otherwise, its actions could invite a lawsuit.

"If you're going to enforce (the ordinance), you have to enforce it equally," he said. "You've got to be careful."

The U.S. Immigration and Customs Enforcement agency is responsible for enforcing immigration laws.

"We do have targets for enforcement action, and we're responsive to local law enforcement," said Ernestine Fobbs, a Department of Homeland Security public affairs officer.

However, Fobbs said the government agency doesn't focus on the ethnicity of suspected wrongdoers but on their alleged crimes.

"We do not profile," she said.

Recently, federal agents arrested undocumented immigrants at a meatpacking plant in several states suspected in an identity-theft scheme. Groups of illegal aliens were also rounded up at several Wal-Mart stores two years ago.

"We do have smaller operations that we handle," Fobbs said without elaborating.

While federal agents give violent criminals top priority, she did not comment specifically about whether federal agents would assist Bridgeport in enforcing its ban.

Fobbs did say the federal government has the authority to bring illegal aliens before immigration judges who could rule to have certain individuals removed from the U.S.

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Public Interest Law Center of Philadelphia and Reed Smith LLP plan to file a legal challenge to the borough's immigration ordinances in January, attorneys said Friday.

Last week, the borough agreed with the two firms not to enforce its immigration ban in the remaining days of 2006 and to give 10-day written notice before taking any future enforcement action.

According to a press release from Fair Housing Council of Montgomery County, Bridgeport would "postpone" enforcing the ban and related ordinances to forestall a court injunction.

Bridgeport Borough Councilwoman Juanita Coover first proposed the illegal ban at a council workshop Aug. 8, less than a month after the city of Hazleton passed measures restricting undocumented individuals from holding jobs or renting property there.

In Bridgeport, the rental registration measure authorizes Bridgeport's police, fire officials, code enforcement officer or director of public works to enforce the housing ordinance.

The part of the ordinance governing occupancy limits, which is based on the 2003 International

Property Maintenance Code, prohibits overcrowding of housing units.

Beth Albert, executive director of the Fair Housing Council of Montgomery County, wondered how Bridgeport officials would administer issuing permits to rental tenants.

"What are they going to require (for identification), and what's going to happen if people don't have documents?" Albert asked.

Hazleton's Illegal Immigration Relief Act fines landlords \$1,000 for each illegal alien tenant renting property and has the power to suspend business licenses of those employing undocumented workers.

In August, the American Civil Liberties Union of Pennsylvania (ACLU) and several immigration rights groups challenged the Hazleton law on constitutional grounds.

The Hazleton suit claims the city's ordinance violates the U.S. Constitution's Supremacy Clause, because it seeks to override federal law and the exclusive federal power over immigration.

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