

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SANDPOINT, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, REPEALING AND REPLACING CITY CODE 5-2-10, DISCRIMINATION PROHIBITED; PROVIDING FOR REPEAL AND SEVERABILITY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS: With this amendment, the City of Sandpoint seeks to align its nondiscrimination provisions with existing federal and state civil rights law and to clarify that the City does not establish or enforce independent local definitions, protected classes, or complaint-investigation procedures beyond those set forth by the United States Congress, the courts, or the Idaho Legislature.

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Sandpoint that:

ORDINANCE SECTION 1 – REPEAL AND REPLACE SANDPOINT CITY CODE 5-2-10

Sandpoint City Code Title 5, Chapter 2, Section 10, Discrimination Prohibited, is hereby repealed in its entirety and replaced with the following:

5-2-10 – DISCRIMINATION PROHIBITED

A. Adoption of Federal and State Civil Rights Standards.

1. The City of Sandpoint hereby adopts and incorporates by reference all applicable federal and Idaho civil rights laws governing nondiscrimination in employment, housing, public accommodations, and the sale or rental of property, including but not limited to Title VII of the Civil Rights Act of 1964, the Fair Housing Act, the Americans with Disabilities Act, the Idaho Human Rights Act (Idaho Code § 67-5901, et seq.), and all controlling rulings of the United States Supreme Court and Idaho appellate courts interpreting such laws.
2. Discrimination prohibited under federal or Idaho law is prohibited within the City of Sandpoint to the same extent and in the same manner as required under those authorities.

B. Enforcement.

1. Allegations of unlawful discrimination shall be filed with and investigated by the appropriate state or federal agency, including the Idaho Commission on Human Rights or the Equal Employment Opportunity Commission, as applicable.
2. The City of Sandpoint shall not operate a separate local human rights tribunal, board, complaint process, or enforcement mechanism.

C. Limitation of Municipal Authority.

1. The City does not create or define additional protected classes beyond those recognized under federal or Idaho law.
2. The City does not regulate matters of sex, gender identity, sexual orientation, or related classifications beyond what is expressly required under federal or Idaho law.

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3. Nothing in this section shall be construed to expand or contract the rights, obligations, or remedies established by federal or Idaho civil rights statutes.

D. Religious Liberty and Constitutional Protections.

This section shall be applied consistent with all constitutional protections, including freedom of speech, freedom of religion, and the rights guaranteed under the First Amendment to the United States Constitution.

E. No Private Cause of Action.

Nothing in this section shall create a private right of action or a basis for monetary damages.

F. Rights of Individuals.

Nothing in this section shall diminish or limit any individual's right to pursue the remedies available under federal or Idaho law, including the right to file a complaint with the Idaho Commission on Human Rights or the Equal Employment Opportunity Commission or to seek judicial relief through the courts as allowed by law.

ORDINANCE SECTION 2 – REPEAL SEVERABILITY

If any portion of this ordinance is found to be invalid or unenforceable, the remaining portions shall remain in full force and effect.

ORDINANCE SECTION 3 – PUBLICATION AND EFFECTIVE DATE

This Ordinance shall be in full force and effect following its passage, approval, and publication according to law.

PASSED AND ADOPTED AS AN ORDINANCE OF THE CITY OF SANDPOINT, IDAHO, AT A REGULAR SESSION OF THE SANDPOINT CITY COUNCIL ON _____, 2025.

Jeremy Grimm, Mayor

Attest: _____
Melissa Ward, City Clerk