

City of Sandpoint

Office of the Mayor

MEMORANDUM

TO: Sandpoint City Council

FROM: Mayor Jeremy Grimm

DATE: 11.10.25

SUBJECT: Discussion of Revision to Sandpoint City Code §5-2-10 – Alignment with Federal Civil Rights Law (Not Action Item)

Background

Recent events at the Sandpoint YMCA have drawn the City into a highly sensitive and polarized national debate regarding the use of bathrooms by transgender individuals. The YMCA, a privately owned facility, referenced City Code §5-2-10 (“Discrimination Prohibited”) as the basis for its internal policies regarding access to facilities.

This has led to public confusion and contention, with residents expressing strong views on issues of gender identity, privacy, and safety. While community dialogue on these matters is understandable, it has become clear that the City’s current ordinance unintentionally places Sandpoint in the center of a legal and cultural debate that extends far beyond municipal authority or intent.

Potential Amendment

An amendment to §5-2-10 would be designed to realign the City’s ordinance with established federal civil rights law and to remove the City from an area of regulation that is already governed by the United States Congress and the Supreme Court of the United States.

The City has no inherent legal power to define or regulate issues such as gender identity, sexual orientation, or sex discrimination beyond what federal law already provides. Continuing to maintain local definitions that differ from or expand upon federal standards creates potential for:

- Costly litigation,
- Public division, and
- Administrative confusion for both residents and private businesses.

By simply referencing federal law as the controlling authority, Sandpoint would ensure consistency with national legal standards while avoiding unnecessary exposure and controversy.

Rationale

Under the U.S. Constitution and Idaho law, civil rights protections in employment, housing, and public accommodations are matters of federal jurisdiction. The Supreme Court's ruling in *Bostock v. Clayton County* (2020) and subsequent federal interpretations have clarified that discrimination "because of sex" includes gender identity and sexual orientation under Title VII and related statutes.

Therefore, maintaining independent local definitions of "sexual orientation" or "gender identity/expression" is redundant and risks placing the City at odds with either future federal rulings or Idaho state law.

By making a revision to Sandpoint City Code §5-2-10 we would ensure that Sandpoint's ordinance mirrors federal civil rights law—neither expanding nor contracting it—and reaffirms that the City will follow constitutional and statutory guidance from the courts and Congress.

Intent

Any amendment is not a rollback of protections or a political statement. It would be a jurisdictional clarification. The City of Sandpoint remains committed to fairness, equal treatment, and respect for all individuals.

Local governments must act within their lawful authority. Matters of sex and gender identity have been explicitly defined and interpreted by federal law and the Supreme Court, not by municipalities. An amendment would ensure that Sandpoint's ordinance reflects that reality, prevents duplicative enforcement, and keeps the City focused on its core responsibilities.

Mayor's Recommendation

My recommendation is that the City Council consider adoption of an amendment to Sandpoint City Code §5-2-10 to align with federal civil rights law. Doing so will:

- Remove the City from a divisive national debate,
- Eliminate potential legal exposure,
- Maintain consistency with federal standards, and
- Demonstrate responsible governance by staying within the scope of municipal authority.

This approach balances our community's values of fairness and respect with the practical necessity of legal clarity and risk avoidance.