



**THE CITY COUNCIL OF WATERLOO, IOWA
WORK SESSION TO BE HELD AT
Harold E. Getty Council Chambers
Monday, February 6, 2023
4:25 PM**

RULES FOR WORK SESSION PUBLIC COMMENT

Iowa Code Chapter 21 gives the public the right to attend council meetings, but it does not require cities to allow public participation except during public hearings. The city council shall not receive any public comment during a work session.

Roll Call

Agenda, as proposed or amended

4:25 p.m. Discussion of amendments to the sidewalk ordinance.

Submitted by: Kelley Felchle, City Clerk, Jamie Knutson, City Engineer

Approx. 4:40 Discussion of ban on conversion therapy.

p.m. Submitted by: Jonathan Grieder, Ward 2 Council member

ADJOURNMENT

Kelley Felchle
City Clerk

Prepared by Kelley Felchle, City Clerk, City of Waterloo, 715 Mulberry Street, Waterloo, IA 50703, (319) 291-4323.

ORDINANCE NO. XXXX

AN ORDINANCE AMENDING THE CITY OF WATERLOO CODE OF ORDINANCES BY REPEALING CHAPTER 2, SIDEWALK CONSTRUCTION, INSPECTIONS, AND REPAIR, AND ARTICLE A, INSPECTION AND REPAIR, OF TITLE 7, PUBLIC WAYS AND PROPERTY, AND ENACTING IN LIEU THEREOF A NEW CHAPTER 2, SIDEWALK CONSTRUCTION, INSPECTIONS, AND REPAIR, AND ARTICLE A, INSPECTION AND REPAIR, OF TITLE 7, PUBLIC WAYS AND PROPERTY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WATERLOO, IOWA AS FOLLOWS:

Section 1. That Chapter 2, Sidewalk Construction, Inspections, and Repair, and Article A, Inspection and Repair, of Title 7, Public Ways and Property is hereby repealed and a new Chapter 2, Sidewalk Construction, Inspections, and Repair, and Article A, Inspection and Repair, of Title 7, Public Ways and Property is enacted in lieu thereof as follows:

7-2-1: CITY COUNCIL TO ORDER CONSTRUCTION:

A. Permanent Or Temporary Sidewalks: The city council may, by resolution, order the construction of permanent and/or temporary sidewalks upon any streets, highways, avenues or public grounds in the city, but the construction of permanent sidewalks shall not be made until the bed of the sidewalks shall have been graded, so that when completed, the sidewalks shall be at the established grade.

B. Vote Required For Improvement: Unless the owners of a majority of the linear feet of property fronting on the proposed sidewalk improvement petition the city council therefor, the proposed improvement shall not be made unless three-fourths (3/4) of all the members of the city council shall, by vote, order the making thereof.

7-2-2: PUBLIC IMPROVEMENT PROCEDURES:

The procedure for the construction of the public improvements in the nature of the construction of new public sidewalks, whether permanent or temporary, shall be governed by any and all provisions of the Iowa Code, then in existence, with regard to notice for hearing, publication of notice, notice of assessments and any other relevant statutory rules and regulations.

7-2-3: SPECIAL ASSESSMENTS FOR IMPROVEMENTS:

A. Payments: Any assessment that exceeds five hundred dollars (\$500.00) may be paid in installments as set by the city council, not exceeding ~~nine (9)~~eleven (11), in the same manner ~~and at the same interest rate~~ as for special assessments under Iowa Code chapter 384, division IV and at an interest rate of ~~one percent (1%)~~ four percent (4), in accordance with Iowa Code Section 384.60 and Chapter 74A.

B. Certification Of Special Assessments To County Treasurer: Upon making the special assessment pursuant to this chapter, it shall be certified to the county treasurer and shall be placed on the tax list as is provided by law.

7-2-4: JOB PERMITS REQUIRED:

A. No person, except the public works director or the city engineer, while acting in their official capacity, or a contractor in performing the necessary work on a contract with the city, shall construct or cause to be constructed any concrete sidewalk in any public street, avenue, alley or highway within the city except such walks as are required to connect residences or other buildings with the city sidewalks, curbs or street roadways, without first obtaining a permit therefor, signed by the city engineer. The permit shall describe the location of the work and state the time in which it is to be done. If an extension of time is required, the permittee shall present the permit to the city engineer for an extension of the completion date, and no extension of time shall be valid unless signed by the city engineer.

B. All permits issued pursuant to subsection A of this section must be kept at the place of construction for which they were issued during the time when the work is being done and exhibited when called for by the city official having the authority to examine the permit(s).

C. Sidewalk improvement permit fees shall be set by resolution of the city council and be collected by the office of the city engineer. Work performed by the city shall not require a permit fee.

7-2-5: CONTRACTOR'S BOND:

Any person constructing sidewalks within the city must first file a right of way construction bond with the city clerk in the sum of ~~fifteen thousand dollars (\$15,000.00)~~ twenty thousand dollars (\$20,000.00), effective ~~January 1, 2017~~ March 1, 2023. The application for such construction must be approved by the city council and conditioned upon the fulfillment of the following:

- A. Faithful performance of all duties and regulations required by this chapter;
- B. Faithful performance of every driveway and sidewalk specification on file in the city engineer's office, and/or any provision of this code or other city ordinance regulating the construction, reconstruction or repair of sidewalks within the city;
- C. Prompt payment to the city of any sums that may become due for any reason or under this chapter;
- D. Prompt payment of all fines imposed upon said person for a violation of this chapter, which violations occur during the life of the bond; and
- E. Upon indemnifying and keeping the city harmless from any liability arising from said person's constructing or reconstructing sidewalks within the city.

7-2-6: STANDARDS AND SPECIFICATIONS:

Standards and specifications for concrete sidewalks shall be prescribed from time to time by the city council, and shall be on file in the office of the city engineer; conformance with such standards and specifications is required, and failure to comply shall be grounds for revocation of the permit issued pursuant to this chapter to construct a sidewalk.

7-2-7: VIOLATION; PENALTY:

A. Any person violating the provisions of this chapter shall be deemed guilty of an offense, and shall be liable for all damage sustained by the city or by any person. Failure to comply with any of the provisions of this chapter shall be deemed a municipal infraction and upon conviction thereof shall be punished in accordance with subsection 1-3-2C of this code.

B. In the case of a construction specification of this chapter not being complied with, the sidewalk contractor shall be given written notice by the city engineer, or designee, stating the specifications not complied with and the contractor shall cause the work to comply with such specifications within fifteen (15) days of the mailing of the notice. If the contractor fails to comply with the notice, the bonding company shall be notified by regular mail of such failure to comply.

C. Any person who shall have violated the provisions of this chapter shall be refused any further permit required by this chapter until that person has complied with all the provisions of this chapter.

ARTICLE A. INSPECTION AND REPAIR

SECTION:

7-2A-1: DEFINITIONS

7-2A-2: SIDEWALK SPECIFICATIONS

7-2A-3: PERMITS

7-2A-4: INSPECTIONS

7-2A-5: IMPROVEMENTS AND REPAIRS

7-2A-6: BARRICADES AND WARNING LIGHTS

7-2A-7: COST OF IMPROVEMENTS; ASSESSMENTS

7-2A-8: VACATION OF SIDEWALKS

7-2A-1: DEFINITIONS:

As used in this article, the following words have the following meanings:

CITY ENGINEER: The city engineer or personnel designated by the city engineer to perform the duties prescribed for the engineer by this article.

DEFECTIVE SIDEWALK: Any public sidewalk exhibiting one or more of the following characteristics:

- A. Vertical separations equal to three-quarters inch (3/4") or more;
- B. Horizontal separations equal to three-quarters inch (3/4") or more;
- C. Spalling or surface deterioration over fifty percent (50%) of the surface of a single square of the sidewalk and one or more half-inch (1/2") depressions;
- D. A single square of sidewalk cracked in such a manner causing three (3) or more pieces with one or more loose pieces;
- E. A sidewalk that is sloped or tilted creating water pockets, greater than ½ the width of the sidewalk, measured at any one point;
- F. A change from design or construction grade equal to or greater than two inches (2") in a ten foot (10') long area or less;
- G. Holes and/or depressions greater than one-half inch (1/2") deep and one and one-half inches (1 1/2") or more in any horizontal dimensions; Holes to the full depth of the sidewalk

shall be repaired by removal and replacement of the full panel from existing joint to existing joint.

H. Vertical or horizontal separations equal to three-fourths inch (3/4") or more where sidewalk abuts the curb, or any other fixture or structure and the separation is deemed unsafe;

I. Any other defects deemed unsafe by the City Engineer.

OWNER: The person owning the fee title or the contract purchaser for purposes of notification required herein. For all other purposes, "owner" shall include the lessee, if any.

SIDEWALK IMPROVEMENTS: The reconstruction, repair, replacement or removal of a public sidewalk or the excavating, filling or depositing of material in the public right of way in connection therewith.

SIDEWALK REPAIRS: Sidewalk repairs shall be by removal and replacement of full sidewalk panels from existing joint to existing joint for all defect types except surface depressions with an area of eighteen (18) square inches or less, which qualify for repair by patching. No sidewalk panel shall have a patched area exceeding 20% of the panel's total area. Sidewalk panels exceeding 20% of patched surface area shall be removed and replaced from existing joint to existing joint. A list of approved patching materials shall be on file in the city engineer's office.

7-2A-2: SIDEWALK SPECIFICATIONS:

All sidewalk improvements on public property, whether performed by the owner of the abutting property or by the city, shall be performed under the supervision and inspection of the city engineer or designee and in accordance with the plans and specifications prepared by the city engineer's office and approved by the city council. No permanent sidewalk improvements shall be performed until the bed for the same shall have been graded so that when completed such sidewalk shall be at the location and grade established by the city engineer or designee.

7-2A-3: PERMITS:

A. Permit Required: No person shall make any sidewalk improvements whether ordered by the city council or not, unless such person obtains a permit from the city engineer and agrees that, in making the sidewalk improvements, compliance will be made with the ordinances of this city and with the specifications for the sidewalks as prepared by the city engineer and approved by the city council, and that the work shall be done under the direction and supervision of the city engineer and subject to the approval of the city engineer or designee.

B. Bonds: A bond shall be required for all repairs except repairs made by patching as allowed under the definition of "sidewalk repairs" in section 7-2A-1 of this article. The bond shall be filed in the proper amount and the owner shall also agree to hold the city free from all liability for damages on account of injuries received by anyone through the negligence of such person or agents thereof in making the sidewalk improvements, or by reason of failure to properly guard the premises.

C. Filing, Term Of Permits: All permits issued shall be filed and preserved in the office of the city engineer. Before granting any permit to make sidewalk improvements, the city engineer shall determine the appropriateness of the same and shall state in all permits issued when the sidewalk work is to be completed.

D. Extension Of Permit: The time of completion for the sidewalk improvements may be extended by the city engineer when in his judgment the extension is deemed necessary. The city engineer may withhold the issuance of any permit for any sidewalk improvements for a sufficient period to determine the necessity for the proposed improvements or if weather conditions will adversely affect the sidewalk improvements.

E. Permit Fees: Sidewalk permit fees shall be set by resolution of the city council and collected by the city engineer's office. Work performed by the city shall not require a permit fee.

F. Failure To Obtain Permit: Whenever any sidewalk improvements are not completed in conformance to the provisions of this article, i.e., not in compliance with the current sidewalk standard specifications, or without a permit, the city engineer shall serve notice upon the property owner and/or the contractor doing such work of the nonconformance. If construction work is underway without a permit, the notice shall order the work to cease until a permit is obtained, and a fee of three (3) times the permit cost in addition to the cost of the original permit is paid. If the sidewalk improvement underway with a permit is not in conformance with the current sidewalk specifications, all work must be corrected to comply with the current specifications. In the event that the sidewalk work has been completed without obtaining a permit, a permit shall be immediately obtained, and a fee of three (3) times the permit cost in addition to the cost of the original permit is paid, and any corrections needed shall be completed within five (5) days after receipt of the permit. Any person who shall have violated the provisions of this chapter shall be refused any further permits required by this chapter until he has complied with all of the provisions of this chapter. Failure to comply with this notice shall result in the completion of the work being done by the office of the city engineer with the costs being assessed to the property owner as provided in this article.

7-2A-4: INSPECTIONS:

A. Time Of Inspections: The office of the city engineer, its employees, or designees shall be responsible for inspecting the public sidewalks on a twelve (12) year cycle within the city or on a complaint basis. These inspections shall be made to determine if any of the public sidewalks within the city are defective as previously defined.

B. Inspection And Approval: The city engineer, or a designee, shall inspect the work, and may order the corrections if the work does not meet specifications.

7-2A-5: IMPROVEMENTS AND REPAIRS:

A. Sidewalk Improvements Ordered: The city engineer may order the reconstruction, repair or replacement of permanent sidewalks upon any public right of way. Notice of this order shall be sent to the owner by regular mail. This notice shall include the fact that a hearing shall be held by the city council within thirty (30) days from the date of sending of the notice. The notice shall also contain information regarding the estimated costs of reconstruction, repair or replacement, as estimated by the office of the city engineer.

B. Defective Sidewalks Repaired: It shall be the duty of the abutting property owner at any time, or within forty five (45) days from the date of notice from the city, to repair, replace or reconstruct all broken or defective sidewalks in the public right of way abutting said property. If, after the expiration of the forty five (45) days, as provided in the notice, the required work has not been done or is not in the process of completion, the city engineer shall proceed to repair, replace or reconstruct the sidewalk. The total costs, including, but not limited to, engineering, inspection, construction and administrative costs, shall be assessed to the property as taxes or special assessments as provided hereinafter.

7-2A-6: BARRICADES AND WARNING LIGHTS 1 :

Proper warning lights and barricades shall be placed to protect persons from materials, equipment and dangerous conditions. Placement and maintenance of adequate warnings is the responsibility of the constructor, or the person conducting the work.

Notes

1. See also sections 7-1-3 and 7-3-10 of this title.

7-2A-7: COST OF IMPROVEMENTS; ASSESSMENTS:

A. Hearing On Estimated Costs: The city council shall hold a hearing within thirty (30) days from the date of the sending of the notice, as aforementioned, wherein, at the time and place designated in the notice, the city council shall consider the estimated costs of reconstruction, repair or replacement which may be assessed against the property owners and any errors, irregularities or inequalities in the proposed reconstruction, repair or replacement. Affected property owners shall have the right to object to the proposed costs.

B. Notice Of Assessment For Repair Costs: When the city engineer submits an assessment for sidewalk improvements or repair, the city clerk shall send a notice of such facts to the owner of the abutting property. The notice shall be sent by regular mail to the last known address of the owner. The notice shall contain a statement of the work performed, the total costs of the work that is being assessed, a description of the property affected, and the fact that the person may pay the amount assessed by a certain date without interest or penalty. The notice shall also indicate that the person may object to such assessment, on account of errors, irregularities or inequalities, and give the place and time at which the city council will hear such objections. The time set for hearing shall be within thirty (30) days after the service or mailing of the notice.

C. Hearing And Assessment: At the time and place designated in the notice, the city council shall consider all objections to the assessment, correct all errors or omissions and adopt a corrected list of the amounts to be assessed against the property.

D. Billing, Certification To County: Thirty (30) days after the decision of the city council of the assessment, the city clerk shall certify any unpaid amounts to the Black Hawk County treasurer. The unpaid assessments shall be collected by the county treasurer in the same manner as special assessments. The following schedule shall control the method wherein the property owner shall be required to pay any unpaid portion of the total costs of the repair of the sidewalk:

<u>\$0.00 to \$500.00</u>	<u>1 year</u>
<u>\$500.01 to \$1,000.00</u>	<u>3 years</u>
<u>\$1,000.01 to \$1,500.00</u>	<u>5 years</u>
<u>\$1,500.01 to \$2,500.00</u>	<u>7 years</u>
<u>\$2,500.01 to \$3,500.00</u>	<u>9 years</u>
<u>\$3,500.01 and over</u>	<u>11 years</u>

\$0.00 to \$500.00	—1 year
\$500.01 to \$1,500.00	—3 years
\$1,500.01 to \$2,500.00	—5 years
\$2,500.01 to \$3,500.00	—7 years
\$3,500.01 and over	—9 years

Such assessments shall be paid in the same manner as for special assessments under Iowa Code Chapter 384, division IV ~~and at an interest rate of one percent (1%)~~four percent (4), in accordance with Iowa Code Section 384.60 and Chapter 74A, in the same manner and at the same interest rates as for special assessments under Iowa Code chapter 384, division IV. No interest shall be charged for such assessments, or parts thereof, if paid within thirty (30) days from the date of the city council determination on the final amounts of the assessment.

~~A. Payments: Any assessment that exceeds five hundred dollars (\$500.00) may be paid in installments as set by the city council, not exceeding nine (9), in the same manner as for special assessments under Iowa Code chapter 384, division IV and at an interest of one percent (1%), as allowed under Iowa Code Section 384.60 and Chapter 74A.~~delete paragraph as this is under 7-2-3 already.

7-2A-8: VACATION OF SIDEWALKS:

A sidewalk may be vacated by the owner of the property by making a request to the planning, programming and zoning commission. The city engineer, and/or his designee, will review the request and forward it, along with his recommendation, to the planning, programming and zoning commission. The planning, programming and zoning commission will review the vacation request at its regular monthly meeting. The commission's recommendation will be forwarded to the city council for its consideration at its next regular meeting.

Section 2. If any section, provision, or part of this chapter shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of this chapter as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

INTRODUCED: _____
PASSED 1st CONSIDERATION: _____
PASSED 2nd CONSIDERATION: _____
PASSED 3rd CONSIDERATION: _____

PASSED AND ADOPTED by this Council this ____ day of _____ 2023.

Quentin Hart, Mayor

ATTEST:

Kelley Felchle, City Clerk

CERTIFICATE

I, Kelley Felchle, City Clerk of the City of Waterloo, Iowa, do hereby certify that the preceding is a true and complete copy of Ordinance No. _____ as passed and adopted by the City Council of the City of Waterloo, Iowa, on the ____ day of _____ 2023.

Witness my hand and seal of office this ____ day of _____ 2023.

SEAL

Kelley Felchle, City Clerk

Youth Mental Health Protection Ordinance

Whereas, contemporary science recognizes that being lesbian, gay, bisexual, or transgender is part of the natural spectrum of human identity and is not a disease, disorder, or illness;

Whereas, conversion therapy has been rejected by every major medical and mental health organization, including the American Psychological Association, American Psychiatric Association, American Medical Association, American Academy of Pediatrics, American Academy of Child and Adolescent Psychiatry, American Counseling Association, American Psychoanalytic Association, American School Counselor Association, American School Health Association, National Association of Social Workers, and the Pan American Health Organization.

Whereas, the advertising and provision of conversion therapy in exchange for monetary compensation is consumer fraud.

Whereas, conversion therapy leads to critical health risks including anxiety, depression, decreased self-esteem, substance abuse, homelessness, and suicide.

Whereas, minors are especially vulnerable to the harms associated with conversion therapy.

Whereas, the City has a compelling interest in protecting the physical and psychological well-being of minors, including lesbian, gay, bisexual, and transgender youth, and in protecting its minors against exposure to serious harms caused by conversion therapy.

Section 1. Definitions.

“Sexual orientation or gender identity change efforts,” also referred to as “conversion therapy,” means any practices or treatments that seek to change an individual’s sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. Sexual orientation or gender identity change efforts do not include counseling that provides assistance to a person undergoing gender transition or that provides acceptance, support, and understanding of a person or facilitates a person’s coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual’s sexual orientation or gender identity.

“Medical or mental health professional” means any individual who is licensed by a local, state, federal, or other regulatory body to engage in a profession related to physical or mental health, including any students, interns, trainees, apprentices, or assistants who provide medical or mental health services under the auspices, guidance, or supervision of a licensed medical or mental health professional.

Section 2. Conversion Therapy Prohibited.

No medical or mental health professional shall engage in conversion therapy with a minor within the City.

Section 3. Enforcement.

The City Attorney shall enforce the provisions of this ordinance. If the City Attorney receives a report of a violation of this ordinance, the City Attorney or the City Attorney's designee shall mail to the medical or mental health professional written notice to immediately cease and desist the violation. The failure of the medical or mental health professional to immediately cease and desist shall subject the medical or mental health professional to the civil penalty provided in Section 4 of this chapter.

Section 4. Penalties.

A violation of Section 2 of this chapter is a Municipal Infraction pursuant to 1-3-2 of the City Code. Each day in violation constitutes a separate offense.

Section 5. Severability.

If any provision or clause of this chapter or its application to any person or in any circumstances is held invalid, such invalidity shall not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter shall be severable.

Section 6. Effective Date.

This ordinance shall become effective when published, as required by law.

Addendum

OPTIONAL MORE DETAILED LEGISLATIVE FINDINGS

The _____ of the City hereby finds as follows:

- a. Research demonstrates that sexual orientation and gender identity change efforts can pose critical health risks to lesbian, gay, bisexual, and transgender persons;
- b. Contemporary science recognizes that being lesbian, gay, bisexual, or transgender is part of the natural spectrum of human identity and is not a disease, disorder, or illness;
- c. The American Academy of Pediatrics has stated: “Therapy directed at specifically changing sexual orientation is contraindicated, since it can provoke guilt and anxiety while having little or no potential for achieving changes in orientation”;
- d. The American Medical Association Council on Scientific Affairs has stated: “Aversion therapy (a behavioral or medical intervention which pairs unwanted behavior, in this case, homosexual behavior, with unpleasant sensations or aversive consequences) is no longer recommended for gay men and lesbians. Through psychotherapy, gay men and lesbians can become comfortable with their sexual orientation and understand the societal response to it”;
- e. The American Counseling Association Governing Council has stated: “We oppose ‘the promotion of “reparative therapy” as a “cure” for individuals who are homosexual””;
- f. The American Psychiatric Association has stated:
 1. “Psychotherapeutic modalities to convert or ‘repair’ homosexuality are based on developmental theories whose scientific validity is questionable. Furthermore, anecdotal reports of ‘cures’ are counterbalanced by anecdotal claims of psychological harm. In the last four decades, ‘reparative’ therapists have not produced any rigorous scientific research to substantiate their claims of cure. Until there is such research available, [the American Psychiatric Association] recommends that ethical practitioners refrain from attempts to change individuals’ sexual orientation, keeping in mind the medical dictum to first, do no harm”;
 2. “The potential risks of reparative therapy are great, including depression, anxiety and self-destructive behavior, since therapist alignment with societal prejudices against homosexuality may reinforce self-hatred already experienced by the patient. Many patients who have undergone reparative therapy relate that they were inaccurately told that homosexuals are lonely, unhappy individuals who never achieve acceptance or satisfaction. The possibility that the person might achieve happiness and satisfying

interpersonal relationships as a gay man or lesbian is not presented, nor are alternative approaches to dealing with the effects of societal stigmatization discussed”; and

3. “Therefore, the American Psychiatric Association opposes any psychiatric treatment such as reparative or conversion therapy which is based upon the assumption that homosexuality per se is a mental disorder or based upon the a priori assumption that a patient should change his or her sexual homosexual orientation”;

g. The American Psychological Association convened a Task Force on Appropriate Therapeutic Responses to Sexual Orientation in 2009. The task force conducted a systematic review of peer-reviewed journal literature on sexual orientation change efforts and concluded that sexual orientation change efforts can pose critical health risks to lesbian, gay, and bisexual people, including confusion, depression, guilt, helplessness, hopelessness, shame, social withdrawal, suicidality, substance abuse, stress, disappointment, self-blame, decreased self-esteem and authenticity to others, increased self-hatred, hostility and blame toward parents, feelings of anger and betrayal, loss of friends and potential romantic partners, problems in sexual and emotional intimacy, sexual dysfunction, high-risk sexual behaviors, a feeling of being dehumanized and untrue to self, a loss of faith, and a sense of having wasted time and resources;

h. The American Psychological Association issued a resolution on Appropriate Affirmative Responses to Sexual Orientation Distress and Change Efforts, which states: “[T]he [American Psychological Association] advises parents, guardians, young people, and their families to avoid sexual orientation change efforts that portray homosexuality as a mental illness or developmental disorder and to seek psychotherapy, social support, and educational services that provide accurate information on sexual orientation and sexuality, increase family and school support, and reduce rejection of sexual minority youth”;

i. The American Psychoanalytic Association issued a position statement in June 2012 on attempts to change sexual orientation, gender identity, or gender expression, and in it the association states:

1. “As with any societal prejudice, bias against individuals based on actual or perceived sexual orientation, gender identity or gender expression negatively affects mental health, contributing to an enduring sense of stigma and pervasive self-criticism through the internalization of such prejudice”; and

2. “Psychoanalytic technique does not encompass purposeful attempts to ‘convert,’ ‘repair,’ change or shift an individual’s sexual orientation, gender identity or gender expression. Such directed efforts are against fundamental principles of psychoanalytic treatment and often result in substantial psychological pain by reinforcing damaging internalized attitudes”;

j. The American Academy of Child and Adolescent Psychiatry has stated: “Clinicians should be aware that there is no evidence that sexual orientation can be altered through therapy, and

that attempts to do so may be harmful. There is no empirical evidence adult homosexuality can be prevented if gender nonconforming children are influenced to be more gender conforming. Indeed, there is no medically valid basis for attempting to prevent homosexuality, which is not an illness. On the contrary, such efforts may encourage family rejection and undermine self-esteem, connectedness and caring, important protective factors against suicidal ideation and attempts. Given that there is no evidence that efforts to alter sexual orientation are effective, beneficial or necessary, and the possibility that they carry the risk of significant harm, such interventions are contraindicated”;

k. The Pan American Health Organization, a regional office of the World Health Organization, has stated: “These supposed conversion therapies constitute a violation of the ethical principles of health care and violate human rights that are protected by international and regional agreements.” The organization also noted that reparative therapies “lack medical justification and represent a serious threat to the health and well-being of affected people”;

The American School Counselor Association has stated: “It is not the role of the professional school counselor to attempt to change a student’s sexual orientation or gender identity. Professional school counselors do not support efforts by licensed mental health professionals to change a student’s sexual orientation or gender as these practices have been proven ineffective and harmful”;

l. The American Association of Sexuality Educators, Counselors, and Therapists (AASECT) has stated: “[H]aving a non-heterosexual sexual orientation, [] being transgender and [] being gender non-conforming [] are not mental disorders. We oppose any ‘reparative’ or conversion therapy that seeks to ‘change’ or ‘fix’ a person’s sexual orientation, gender identity or gender expression. AASECT does not believe that non-heterosexual sexual orientation or being transgender or gender non-conforming is something that needs to be ‘fixed’ or ‘changed.’ The rationale behind this position is the following: Reparative therapy (for minors, in particular) is often forced or non-consensual[;] Reparative therapy has been proven harmful to minors[;] There is no scientific evidence supporting the success of these interventions[;] Reparative therapy is grounded in the idea that non-heterosexual orientation, transgender gender identity and gender non-conforming expressions are ‘disordered’[; and] Reparative therapy has been shown to be a negative predictor of psychotherapeutic benefit;

m. The American College of Physicians has stated: “The College opposes the use of ‘conversion,’ ‘reorientation,’ or ‘reparative’ therapy for the treatment of LGBT persons. . . . Available research does not support the use of reparative therapy as an effective method in the treatment of LGBT persons. Evidence shows that the practice may actually cause emotional or physical harm to LGBT individuals, particularly adolescents or young persons”;

n. The Substance Abuse and Mental Health Services Administration has concluded that:

1. “Conversion therapy perpetuates outdated views of gender roles and identities as well as the negative stereotype that being a sexual or gender minority or identifying as LGBTQ is an abnormal aspect of human development. Most importantly, it may put young people at risk of serious harm.”

2. “Conversion therapy—efforts to change an individual’s sexual orientation, gender identity, or gender expression — is a practice that is not supported by credible evidence, and has been disavowed by behavioral health experts and associations.”
 3. “Same-gender sexual identity, behavior, and attraction are not mental disorders. Same-gender sexual attractions are part of the normal spectrum of sexual orientation. Sexual orientation change in children and adolescents should not be a goal of mental health and behavioral interventions.”;
- o. In 2016, the American Medical Association issued policy statement H-160.991, which expressly opposed the use of “reparative” or “conversion” therapy for sexual orientation or gender identity;
- p. The World Psychiatric Association issued a policy statement in 2016 on Gender Identity and Same-Sex Orientation, which stated, “There is no sound scientific evidence that innate sexual orientation can be changed. Furthermore, so-called treatments of homosexuality can create a setting in which prejudice and discrimination flourish, and they can be potentially harmful. The provision of any intervention purporting to ‘treat’ something that is not a disorder is wholly unethical;”
- q. The National Association of Social Workers (“NASW”) issued a 2015 policy statement stating that “no data demonstrate that [] reparative or conversion therapy is effective” and that these practices are “an infringement of the guiding principles inherent to social worker ethics and values”;
- r. The Agency for Healthcare Research and Quality issued a clinician’s guideline for practitioners who work with children and adolescents based on research provided by the American Academy of Child and Adolescent Psychiatry. It stated that “There is no empirical evidence that adult homosexuality can be prevented if gender nonconforming children are influenced to be more gender conforming. Indeed, there is no medically valid basis for attempting to prevent homosexuality, which is not an illness. On the contrary, such efforts may encourage family rejection and undermine self-esteem, connectedness, and caring, which are important protective factors against suicidal ideation and attempts;”
- s. The Centers for Disease Control and Prevention (CDC) states that “While many sexual minority youth cope with the transition from childhood to adulthood successfully and become healthy and productive adults, others struggle as a result of challenges such as stigma, discrimination, family disapproval, social rejection, and violence. Sexual minority youth are also at increased risk for certain negative health outcomes.” According to the CDC’s 2017 Youth Risk Behavior Surveillance survey, as compared to heterosexual high school students, those students self-identifying as lesbian, gay, or bisexual are:
1. 2 times more likely to be bullied at school or electronically;

2. More than 2 times more likely to feel sad and hopeless;
3. 3 times more likely to have seriously considered suicide;
4. More than 3 times more likely to have made a suicide plan;
5. 4 times more likely to have attempted suicide; and
6. More than 4 times more likely to have been injured in a suicide attempt;

t. In 2009, The Family Acceptance Project found that “gay and transgender teens who were highly rejected by their parents and caregivers were at very high risk for health and mental health problems when they become young adults (ages 21-25). Highly rejected young people were:

1. More than 8 times as likely to have attempted suicide;
2. Nearly 6 times as likely to report high levels of depression;
3. More than 3 times as likely to use illegal drugs; and
4. More than 3 times as likely to be at high risk for HIV and sexually transmitted diseases compared with gay and transgender young adults who were not at all or only rejected a little by their parents and caregivers – because of their gay or transgender identity.” The same report also stated that LGBT youth experience attempts to change their sexual orientation or gender identity as rejection or abuse;

u. A 2018 study by The Family Acceptance Project found the following:

1. Rates of attempted suicide by LGBT young people whose parents tried to change their sexual orientation were more than double (48%) the rate of LGBT young adults who reported no conversion experiences (22%). Suicide attempts nearly tripled for LGBT young people who reported both home-based and out-of-home efforts to change their sexual orientation (63%).
2. High levels of depression more than doubled (33%) for LGBT young people whose parents tried to change their sexual orientation compared with those who reported no conversion experiences (16%) and more than tripled (52%) for LGBT young people who reported both home-based and out-of-home efforts to change their sexual orientation.
3. Sexual orientation change experiences during adolescence by both parents / caregivers and individuals outside of the home were associated with lower young adult socioeconomic status: less educational attainment and lower weekly income; and

v. A peer-reviewed article published in the American Journal of Public Health in 2020 by The Trevor Project, which surveyed 34,000 LGBTQ youth between the ages of 13-24, found that five percent of respondents reported being subjected to conversion therapy. 42 percent of these LGBTQ youth who underwent conversion therapy reported a suicide attempt in the past year, more than twice the rate of their LGBTQ peers who did not report undergoing conversion therapy. These youth were also more than 2.5 times as likely to report multiple suicide attempts in the past year compared to those who did not experience conversion therapy. 57 percent of transgender

and nonbinary youth who had undergone conversion therapy reported a suicide attempt in the last year; and

w. [City/County] has a compelling interest in protecting the physical and psychological well-being of minors, including lesbian, gay, bisexual, and transgender youth, and in protecting its minors against exposure to serious harms caused by conversion therapy.