

1 [Preservation of Emergency Nature of Shelter; Prevention of Displacement From a Shelter  
2 Bed Based Solely on Lack of Income.]

3 **Ordinance adding Article II to Chapter 20 of the San Francisco Administrative Code to**  
4 **preserve the emergency nature of the City's shelter system and to prevent**  
5 **displacement of an individual from a shelter bed based solely on the individual's lack**  
6 **of income.**

7 Note: This Article is entirely new.  
8 Board amendment additions are double underlined.  
9 Board amendment deletions are ~~strike through normal~~.

10 Be it ordained by the People of the City and County of San Francisco:

11 Section 1. The San Francisco Administrative Code is hereby amended by adding a  
12 new Article II to Chapter 20, to read as follows:

13 Article II - Preservation of Emergency Nature of Shelter and Prevention of Loss of  
14 Shelter Bed Based Solely on Lack of Income

15 Sec. 20.40. FINDINGS. The Board of Supervisors finds and declares the following:

16 (a) Due to the shortage of affordable housing in San Francisco, many people suffer  
17 from a lack of permanent housing and seek emergency shelter services on a temporary basis;  
18 and

19 (b) Emergency shelter services in San Francisco are a limited resource and should  
20 be preserved for individuals that lack permanent housing and who currently face a housing  
21 crisis; and

22 (c) Shelter services provided by the City should not be used as a long-term or  
23 permanent solution to homelessness.

24 Section 20.41. DEFINITIONS. For the purposes of this Chapter, the following  
25 definitions shall apply to the terms used herein.

1           (a) "Shelter" or "Shelter services" means any shelter provided by the City that offers  
2 temporary, overnight sleeping space on a short-term basis.

3           (b) "Emergency" means an immediate and urgent need for assistance or relief, or a  
4 time of crisis that requires immediate action.

5           (c) "Entities that refer individuals to shelter" means any government agency or  
6 community based organization that contracts with the City to provide shelter services,  
7 including but not limited to non-profit organizations and religious institutions, that refer  
8 individuals for emergency shelter or shelter services.

9           Section 20.42. Preservation of Emergency Nature of Shelter. Individuals that access  
10 the City's shelters and entities that refer individuals to shelter shall only utilize the shelter  
11 system in emergency situations and shall preserve shelter beds for individuals that face an  
12 immediate and urgent shelter need, thereby preserving the emergency nature of the shelter  
13 system.

14           Section 20.43. No Displacement Based on Income. Under this Chapter, any individual  
15 using an emergency shelter bed shall not be displaced from a shelter bed based solely on a  
16 lack of income.

17           Section 20.44. SEVERABILITY. If any section, subsection, clause, phrase or portion  
18 of this Chapter is for any reason held invalid or unconstitutional by any court or federal or  
19 State agency of competent jurisdiction, such portion shall be deemed a separate, distinct and  
20 independent provision and such holding shall not affect the validity of the remaining portions  
21 thereof.

1 APPROVED AS TO FORM:

2 DENNIS J. HERRERA, City Attorney

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4 By:

JENNIFER K. WILLIAMS  
Deputy City Attorney

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