

1 [Administrative Code - Open Data Policy]

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3 **Ordinance amending the San Francisco Administrative Code to add Section 22D to**
4 **establish the City's Open Data policy and require City departments to make appropriate**
5 **data available to the public.**

6 NOTE: Additions are *single-underline italics Times New Roman*;
7 deletions are ~~*strike-through italics Times New Roman*~~.
8 Board amendment additions are double-underlined;
9 Board amendment deletions are ~~strike through normal~~.

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

10 The San Francisco Administrative Code is hereby amended by adding Section 22D, to
11 read as follows:

12 Section 1. FINDINGS.

13 (a) An open data policy will provide benefits to the City, which include:

14 (1) enhanced government transparency and accountability;

15 (2) development of new analyses or applications based on the unique data the City provides;

16 (3) mobilization of San Francisco's high-tech workforce to use City data to create useful civic
17 tools at no cost to the City; and

18 (4) creation of social and economic benefits based on innovation in how residents interact with
19 government stemming from increased accessibility to City data sets.

20 (b) On October 21, 2009, Mayor Newsom issued Executive Directive 09-06, entitled Open Data
21 ("the Directive"). The Directive stated the City's commitment to transparency in government by
22 declaring that all appropriate data sets would be published through a designated website.

23 (c) City departments should take further steps to make their data sets available to the public in a
24 more timely and efficient manner.

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1 Section 2. CITY DEPARTMENTS REQUIRED TO MAKE DATA AVAILABLE.

- 2 (a) Each City department, board, commission, and agency ("Department") shall make available all
3 data sets under the Department's control, provided however, that such disclosure shall be
4 consistent with the rules and standards promulgated by the Committee on Information
5 Technology ("COIT").
- 6 (b) Data sets shall be made available on the Internet through a web portal linked to sfgov.org or
7 successor website maintained by or on behalf of the City.
- 8 (c) Departments shall conduct quarterly reviews of their progress on providing access to data sets
9 requested by the public through the designated web portal.

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11 Section 3. STANDARDS AND COMPLIANCE.

- 12 (a) COIT shall establish rules and standards to implement the open data policy, including
13 developing standards to determine which data sets are appropriate for public disclosure. In
14 making this determination, COIT shall balance the benefits of open data set forth in Section 1,
15 above, with the need to protect from disclosure information that is proprietary, confidential, or
16 protected by law or contract.
- 17 (b) Within 60 days of the effective date of this ordinance, COIT shall promulgate rules and
18 standards to implement the open data policy which shall apply to all Departments. The rules
19 and standards shall include the following:
- 20 (1) technical requirements for the publishing of public data sets by Departments for the purpose
21 of making public data available to the greatest number of users and for the greatest number
22 of applications. These rules shall, whenever practicable, use non-proprietary technical
23 standards for web publishing and e-government;
- 24 (2) guidelines for Departments to follow in developing their plans for implementing the open
25 data policy consistent with the standards established by COIT. Each plan shall include an

1 accounting of all public data sets under the control of the Department; and

2 (3) rules for including open data requirements in applicable City contracts.

3 (c) COIT shall also evaluate the merits and feasibility of making City data sets available pursuant to
4 a generic license, such as those offered by “Creative Commons.” Such a license would grant
5 any user the right to copy, distribute, display and create derivative works at no cost and with a
6 minimum level of conditions placed on the use. If appropriate, COIT shall specify the terms and
7 conditions of such a generic license in the standards it develops to implement the open data
8 policy.

9 (d) Prior to issuing rules and standards, COIT shall solicit comments from the public, including
10 from individuals and firms who have successfully developed applications using open data sets.

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12 APPROVED AS TO FORM:
13 DENNIS J. HERRERA, City Attorney

14 By: _____
15 Theresa L. Mueller
16 Deputy City Attorney