

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: All City Departments via Adam Thongsavat, Mayor's Office

FROM: Victor Young, Assistant Clerk *Victor Young*

DATE: December 15, 2025

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee received the following proposed Ordinance:

File No. 251224

Ordinance amending the Administrative Code to prohibit the use of City property without the City's authorization, except for uses traditionally available to the public without authorization; prohibit any City official or employee from authorizing the use of City property if that use would disrupt City operations or discourage access to City services, unless the use furthers a City purpose; stating that civil immigration enforcement is not a City purpose; and authorizing the City Attorney to bring a cause of action against anyone that uses City property for an unlawful or unauthorized purpose.

If you have comments or reports to be included with the file, please forward them to Victor Young at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: victor.young@sfgov.org.

(attachment)

c. Aly Bonde, Mayor's Office



City and County of San Francisco

Master Report

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 251224 **File Type:** Ordinance **Status:** 30 Day Rule

Enacted: _____ **Effective:** _____

Version: 1 **In Control:** Rules Committee

File Name: Administrative Code - Restrictions on Use of City Property **Date Introduced:** 12/09/2025

Requester: [REDACTED] **Cost:** [REDACTED] **Final Action:** [REDACTED]

| | |
|-----------------|---|
| Comment: | Title: Ordinance amending the Administrative Code to prohibit the use of City property without the City's authorization, except for uses traditionally available to the public without authorization; prohibit any City official or employee from authorizing the use of City property if that use would disrupt City operations or discourage access to City services, unless the use furthers a City purpose; stating that civil immigration enforcement is not a City purpose; and authorizing the City Attorney to bring a cause of action against anyone that uses City property for an unlawful or unauthorized purpose. |
|-----------------|---|

Sponsors: Mahmood; Chen,
Melgar, Sauter,
Fielder and
Walton

History of Legislative File 251224

| Ver | Acting Body | Date | Action | Sent To | Due Date | Result |
|-----|-------------|------------|----------------------------|-----------------|------------|--------|
| 1 | President | 12/09/2025 | ASSIGNED UNDER 30 DAY RULE | Rules Committee | 01/08/2026 | |

1 [Administrative Code - Restrictions on Use of City Property]

2

3 **Ordinance amending the Administrative Code to prohibit the use of City property**
4 **without the City's authorization, except for uses traditionally available to the public**
5 **without authorization; prohibit any City official or employee from authorizing the use of**
6 **City property if that use would disrupt City operations or discourage access to City**
7 **services, unless the use furthers a City purpose; stating that civil immigration**
8 **enforcement is not a City purpose; and authorizing the City Attorney to bring a cause**
9 **of action against anyone that uses City property for an unlawful or unauthorized**
10 **purpose.**

11 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.
12 **Additions to Codes** are in *single-underline italics Times New Roman font*.
13 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
14 **Board amendment additions** are in double-underlined Arial font.
15 **Board amendment deletions** are in ~~strikethrough Arial font~~.
16 **Asterisks** (* * * *) indicate the omission of unchanged Code
17 subsections or parts of tables.

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

19 Section 1. Findings.

20 As set forth in the preamble to the City Charter, the City's mission is to improve the
21 quality of urban life; to encourage the participation of all persons and all sectors in the affairs
22 of the City; to enable municipal government to meet the needs of the people effectively and
23 efficiently; to provide for accountability and ethics in public service; to foster social harmony
24 and cohesion; and to assure equality of opportunity for every resident.

25 To further this mission, the City invests in and maintains substantial resources,
26 including real and personal property, to support and administer duly authorized public
27 programs such as health care, education, transportation, emergency response, housing,

1 public safety, workforce and business development, and other essential municipal services.
2 City facilities are critical access points relied upon by all residents, and preserving their safety,
3 accessibility, and operational continuity, is a matter of practical necessity and fiscal
4 responsibility.

5 City law has long prohibited City officials from using City resources to assist in the
6 enforcement of federal immigration laws, except in narrowly defined circumstances.
7 Consistent with the City's mission, the purpose of that prohibition is to encourage the
8 participation of all persons in the affairs of the City. To investigate and solve crimes, fight
9 fires, provide emergency assistance, and deliver comprehensive public health programs,
10 among other things, the City needs the cooperation and involvement of all City residents,
11 regardless of citizenship status. If the City were to assist with the enforcement of federal
12 immigration laws, including permitting the use of City property to conduct enforcement, it
13 would unquestionably discourage that critical cooperation and involvement.

14 Substantial evidence from major cities across the country demonstrates that recent
15 surges in immigration enforcement activity discourage participation in the affairs of those
16 cities, which disrupts municipal operations, creates public health and safety risks, and
17 depresses commercial activity. National surveys conducted by the Urban Institute found that
18 roughly one in six adults in immigrant families avoided public programs or facilities because of
19 immigration-related fears. Community-based organizations in cities experiencing recent
20 immigration raids have reported reduced engagement in public life, with many residents
21 unwilling to access essential services such as health care, libraries, and workforce centers, as
22 well as public events.

23 In Southern California, following reports of increased immigration enforcement activity
24 near medical sites, health clinics reported no-show rates climbing from approximately 9% to
25 more than 30 % with residents skipping medical appointments, vaccinations, and pharmacy

1 visits. Los Angeles County's main hospital reported that even threats of enforcement activity
2 near the hospital discouraged access and thereby jeopardized community health. Also in Los
3 Angeles County, St. John's Community Health, a major nonprofit health-care provider,
4 reported that immigration enforcement activity at a mobile clinic site caused immediate service
5 interruptions.

6 Schools and programs serving youth have recently experienced similar disruptions. In
7 Los Angeles, following reports of increased immigration enforcement near campuses, families
8 avoided school events, including graduation ceremonies. In Chicago, federal activity near
9 public school facilities prompted school lockdowns and the suspension of after-school
10 activities, as families reported fear and confusion about the presence of federal agents on or
11 near school campuses. At Chicago's Funston Elementary School, students on the playground
12 were rushed inside after federal agents deployed tear gas across the street, and recess was
13 canceled for the day.

14 The Economic Policy Institute reported that intensified immigration enforcement
15 increases workplace disruptions, employee turnover, and uncertainty for employers, with
16 adverse spillover effects on local economies that depend on a stable workforce and consumer
17 spending. A July 2025 study found that in California, recent surges in immigration
18 enforcement had caused a sharper decline in workforce participation than any event in the
19 past 40 years other than the Great Recession of 2008-09 and the COVID-19 pandemic. In
20 Washington, D.C., officials observed that workers in neighborhoods impacted by increased
21 immigration enforcement stopped reporting to job sites, adversely affecting the hospitality
22 industry, tourism, and construction. These burdens translate into lost productivity for workers
23 and businesses, and fiscal strain for local jurisdictions.

24 Recent increases in enforcement activity also have carried economic and operational
25 consequences for local business owners, and ultimately local governments. News reports

1 from Chicago's Little Village and Back of the Yards neighborhoods have documented
2 merchants locking their doors and shortening their hours during enforcement sweeps, leading
3 to losses in sales, local tax receipts, and neighborhood vitality. In Los Angeles County,
4 federal immigration actions destabilized businesses and disrupted county service delivery,
5 leading the Board of Supervisors to declare a Local Emergency and to allocate resources to
6 restore community access and economic stability.

7 Immigration enforcement on City property also generates acute public-safety risks.
8 The City has devoted substantial resources to enhancing public safety and as a result has
9 seen a recent 30% drop in crime. Effective public safety requires the cooperation of all City
10 residents, one third of whom are immigrants. The City's efforts to reduce crime and protect
11 public safety will be undermined if federal officers are operating on City property, blurring the
12 lines between local policing and immigration enforcement, and thereby discouraging
13 cooperation with local law enforcement.

14 The ordinance is not intended to and does not amend any existing City laws governing
15 permitting or licensing of City property. The ordinance is not intended to and does not
16 interfere with or obstruct lawful immigration enforcement. Federal immigration enforcement
17 officers regularly carry out immigration enforcement in the City. The purpose of this ordinance
18 is to preserve City resources for programs and services that further the City's mission and to
19 ensure that the use of City property does not undermine that mission by discouraging
20 residents' participation in the City's affairs.

21 City Departments are encouraged to provide training to their employees on the scope
22 and limits of this ordinance.

23
24 Section 2. Chapter 4 of the Administrative Code is hereby amended by revising
25 Section 4.19 to read as follows:

1 **SEC. 4.19. USE OF CITY PROPERTY.**

2 (a) No person or entity may use ~~real~~ and personal property belonging to, or subject
3 to the control of, any City and County department, board, commission, or other authority
4 (hereinafter “the City”) unless the use shall only be used to advances or promotes public programs
5 or other purposes authorized by the City and the City has which have been duly authorized the use by
6 the appropriate public agency.

7 (b) No City official, employee, department, board, commission, or other authority shall
8 authorize the use of any real or personal property subject to the control or jurisdiction of the City if the
9 use will disrupt City operations or discourage access to City services, unless the use furthers a City
10 purpose.

11 (c) The use of real or personal property to assist in the enforcement of Federal immigration
12 law is not a City purpose.

13 (d) The use of real or personal property shall mean the right to occupy or use the property,
14 to the exclusion of others, and shall include but not be limited to a license, permit to enter, use permit,
15 or other similar instrument. It shall not mean non-exclusive access or use of the City’s property
16 traditionally open and available to the public where that access or use is on the same terms as
17 members of the public and does not disrupt City operations.

18 (e) Upon finding that a City and County official or employee has engaged in
19 activities prohibited by this Section 4.19, that official or employee shall be subject to
20 disciplinary action in accordance with the applicable provisions of the Charter.

21 (f) Nothing in this Section 4.19 shall be construed to interfere with or inhibit any exercise
22 of the constitutionally protected rights of freedom of speech or assembly or to prevent the use of, or
23 access to, City property as required by law.

24 (g) The City Attorney is authorized to bring a cause of action against any person or entity
25 that violates this Section 4.19 by using City property for an unlawful or unauthorized purpose.

1
2 Section 3. No Conflict with Federal or State Law. Nothing in this ordinance shall be
3 interpreted or applied to create any requirement, power, or duty in conflict with any federal or
4 state law.

5
6 Section 4. No Conflict with Existing Property Interest or Agreements. Nothing in this
7 ordinance shall be interpreted or applied to affect or interfere with any property interest or
8 agreement, including but not limited to amendments to those agreements, deeds, easements,
9 leases, licenses, or permits, to occupy or use City real or personal property that is entered into
10 or effective before the effective date of this ordinance.

11
12 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
13 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
14 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
15 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
16 additions, and Board amendment deletions in accordance with the "Note" that appears under
17 the official title of the ordinance.

18
19 Section 6. Undertaking for the General Welfare. In enacting and implementing this
20 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not
21 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it
22 is liable in money damages to any person who claims that such breach proximately caused
23 injury.

24
25 Section 7. Severability. If any section, subsection, sentence, clause, phrase, or word

1 of this ordinance, or any application thereof to any person or circumstance, is held to be
2 invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision
3 shall not affect the validity of the remaining portions or applications of the ordinance. The
4 Board of Supervisors hereby declares that it would have passed this ordinance and each and
5 every section, subsection, sentence, clause, phrase, and word not declared invalid or
6 unconstitutional without regard to whether any other portion of this ordinance or application
7 thereof would be subsequently declared invalid or unconstitutional.

8

9 Section 8. Effective Date. This ordinance shall become effective 30 days after
10 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
11 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
12 of Supervisors overrides the Mayor's veto of the ordinance.

13

14 APPROVED AS TO FORM:
15 DAVID CHIU, City Attorney

16 By: /s/
17 JANA CLARK
18 Deputy City Attorney

19
20
21
22
23
24
25

k:\jclark\ord draft 15 limits on use of city property .docx

LEGISLATIVE DIGEST

[Administrative Code - Restrictions on Use of City Property]

Ordinance amending the Administrative Code to prohibit the use of City property without the City's authorization, except for uses traditionally available to the public without authorization; prohibit any City official or employee from authorizing the use of City property if that use would disrupt City operations or discourage access to City services, unless the use furthers a City purpose; stating that civil immigration enforcement is not a City purpose; and authorizing the City Attorney to bring a cause of action against anyone that uses City property for an unlawful or unauthorized purpose.

Existing Law

Existing law prohibits the use of City real and personal property unless the use advances or promotes public programs or other purposes authorized by the appropriate public agency.

Amendments to Current Law

The ordinance would prohibit any City official or employee from authorizing the use of City property if the use would disrupt City operations or discourage access to City services, unless the use furthers a City purpose. The ordinance would state that enforcement of immigration law is not a City purpose. The ordinance would define the right to occupy or use the property, as the right to use the property exclusively and would exclude from the definition non-exclusive access or use of the City's property traditionally open and available to the public where that access or use is on the same terms as members of the public and does not disrupt City operations. The ordinance would state that it is not intended to interfere with existing agreements to use property, First Amendment use or access, or any use or access required by law. Finally, the ordinance would authorize the City Attorney to bring a cause of action against any person or entity that used City property for an unlawful or unauthorized purpose.

Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor" inquires..."
- 5. City Attorney Request
- 6. Call File No. from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the Board on

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission
- Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes
- No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Subject:

Long Title or text listed:

Signature of Sponsoring Supervisor:

From: [Logan, Samantha \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#)
Cc: [CLARK, JANA \(CAT\)](#); [Mahmood, Bilal \(BOS\)](#); [Gutierrez Garcia, Jessica \(BOS\)](#); [Prager, Jackie \(BOS\)](#); [Hare, Emma \(BOS\)](#); [Bell, Tita \(BOS\)](#); [Gaona, Sasha \(BOS\)](#)
Subject: D5 Ordinance Introduction - Restrictions on Use of City Property
Date: Tuesday, December 9, 2025 1:54:30 PM
Attachments: [Ordinance limits on use of city property - final.docx](#)
[LEG DIGEST Limits on Use of City Property.docx](#)
[D5 Introduction Form - Restrictions on Use of City Property.pdf](#)

Good afternoon,

Please find attached the introduction form, legislative digest, and ordinance from our office placing Restrictions on Use of City Property.

I have copied Supervisors Chen, Melgar, Sauter, and Fielder's offices to confirm co-sponsorship.

Deputy City Attorney Jana Clark is also copied above to confirm this legislation is approved as to form.

Please let me know if you have any questions. Thank you!

Best,

Sam Logan | (she/her) | Legislative Director
Office of Supervisor Bilal Mahmood
San Francisco Board of Supervisors, District 5
City Hall, Room 272
(415) 554-6758
[Join Our District 5 Newsletter](#)

From: [Clark, Jana \(CAT\)](#)
To: [Logan, Samantha \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Cc: [Mahmood, Bilal \(BOS\)](#); [Gutierrez Garcia, Jessica \(BOS\)](#); [Prager, Jackie \(BOS\)](#); [Hare, Emma \(BOS\)](#); [Bell, Tita \(BOS\)](#); [Gaona, Sasha \(BOS\)](#)
Subject: RE: D5 Ordinance Introduction - Restrictions on Use of City Property
Date: Tuesday, December 9, 2025 1:57:03 PM

I have approved the ordinance as to form.

Confidential and privileged communication

Jana Clark (she/her)
Deputy City Attorney
Office of the City Attorney
1 Dr. Carlton B. Goodlett Place, Suite 234
San Francisco, CA 94102
(415) 554-4634

From: Logan, Samantha (BOS) <sam.logan@sfgov.org>
Sent: Tuesday, December 9, 2025 1:54 PM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Cc: Clark, Jana (CAT) <Jana.Clark@sfcityatty.org>; Mahmood, Bilal (BOS) <bilal.mahmood@sfgov.org>; Gutierrez Garcia, Jessica (BOS) <Jessica.GutierrezGarcia@sfgov.org>; Prager, Jackie (BOS) <jackie.prager@sfgov.org>; Hare, Emma (BOS) <emma.hare@sfgov.org>; Bell, Tita (BOS) <tita.bell@sfgov.org>; Gaona, Sasha (BOS) <sasha.gaona@sfgov.org>
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Sam Logan | (she/her) | Legislative Director

Office of Supervisor Bilal Mahmood
San Francisco Board of Supervisors, District 5
City Hall, Room 272
(415) 554-6758
[Join Our District 5 Newsletter](#)

From: [Prager, Jackie \(BOS\)](#)
To: [Logan, Samantha \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: Re: D5 Ordinance Introduction - Restrictions on Use of City Property
Date: Tuesday, December 9, 2025 2:15:00 PM

Confirming co-sponsorship for Supervisor Chen.

Best,

Jackie Prager
Legislative Aide
Office of Supervisor ChyAnne Chen, District 11
jackie.prager@sfgov.org | 415-554-6975
Pronouns: she/her/hers

From: Logan, Samantha (BOS) <sam.logan@sfgov.org>
Sent: Tuesday, December 9, 2025 1:54 PM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Cc: CLARK, JANA (CAT) <Jana.Clark@sfcityatty.org>; Mahmood, Bilal (BOS) <bilal.mahmood@sfgov.org>; Gutierrez Garcia, Jessica (BOS) <Jessica.GutierrezGarcia@sfgov.org>; Prager, Jackie (BOS) <jackie.prager@sfgov.org>; Hare, Emma (BOS) <emma.hare@sfgov.org>; Bell, Tita (BOS) <tita.bell@sfgov.org>; Gaona, Sasha (BOS) <sasha.gaona@sfgov.org>
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Please let me know if you have any questions. Thank you!

Best,

Sam Logan | (she/her) | Legislative Director
Office of Supervisor Bilal Mahmood
San Francisco Board of Supervisors, District 5

City Hall, Room 272
(415) 554-6758
[Join Our District 5 Newsletter](#)

From: Gutierrez Garcia, Jessica (BOS)
To: CLARK, JANA (CAT); BOS Legislation, (BOS); Logan, Samantha (BOS)
Cc: Mahmood, Bilal (BOS); Prager, Jackie (BOS); Hare, Emma (BOS); Bell, Tita (BOS); Gaona, Sasha (BOS); BOS Legislation, (BOS); Gee, Natalie (BOS); Burch, Percy (BOS)
Subject: RE: D5 Ordinance Introduction - Restrictions on Use of City Property
Date: Tuesday, December 9, 2025 3:08:32 PM
Attachments: [image001.png](#)

Adding Supervisor Walton's team to confirm co-sponsorship.

Best,
Jessica

From: Clark, Jana (CAT) <Jana.Clark@sfcityatty.org>
Sent: Tuesday, December 9, 2025 1:59 PM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>; Logan, Samantha (BOS) <sam.logan@sfgov.org>
Cc: Mahmood, Bilal (BOS) <bilal.mahmood@sfgov.org>; Gutierrez Garcia, Jessica (BOS) <Jessica.GutierrezGarcia@sfgov.org>; Prager, Jackie (BOS) <jackie.prager@sfgov.org>; Hare, Emma (BOS) <emma.hare@sfgov.org>; Bell, Tita (BOS) <tita.bell@sfgov.org>; Gaona, Sasha (BOS) <sasha.gaona@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: RE: D5 Ordinance Introduction - Restrictions on Use of City Property

I approve as to form

Confidential and privileged communication

Jana Clark (she/her)
Deputy City Attorney
Office of the City Attorney
1 Dr. Carlton B. Goodlett Place, Suite 234
San Francisco, CA 94102
(415) 554-4634

From: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Sent: Tuesday, December 9, 2025 1:58 PM
To: Logan, Samantha (BOS) <sam.logan@sfgov.org>; Clark, Jana (CAT) <Jana.Clark@sfcityatty.org>
Cc: Mahmood, Bilal (BOS) <bilal.mahmood@sfgov.org>; Gutierrez Garcia, Jessica (BOS) <Jessica.GutierrezGarcia@sfgov.org>; Prager, Jackie (BOS) <jackie.prager@sfgov.org>; Hare, Emma (BOS) <emma.hare@sfgov.org>; Bell, Tita (BOS) <tita.bell@sfgov.org>; Gaona, Sasha (BOS) <sasha.gaona@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: RE: D5 Ordinance Introduction - Restrictions on Use of City Property

Hello,

We are seeking the approval from Deputy City Attorney Jana Clark for use of her electronic signature and approval as to form for the attached proposed Ordinance, by reply to this email. Thank you.

Lisa Lew
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.

From: Logan, Samantha (BOS) <sam.logan@sfgov.org>
Sent: Tuesday, December 9, 2025 1:54 PM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Cc: CLARK, JANA (CAT) <Jana.Clark@sfcityatty.org>; Mahmood, Bilal (BOS) <bilal.mahmood@sfgov.org>; Gutierrez Garcia, Jessica (BOS) <Jessica.GutierrezGarcia@sfgov.org>; Prager, Jackie (BOS) <jackie.prager@sfgov.org>; Hare, Emma (BOS) <emma.hare@sfgov.org>; Bell, Tita (BOS) <tita.bell@sfgov.org>; Gaona, Sasha (BOS) <sasha.gaona@sfgov.org>
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Deputy City Attorney Jana Clark is also copied above to confirm this legislation is approved as to form.

Please let me know if you have any questions. Thank you!

Best,

Sam Logan | *(she/her)* | Legislative Director
Office of Supervisor Bilal Mahmood
San Francisco Board of Supervisors, District 5
City Hall, Room 272
(415) 554-6758
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From: [Gee, Natalie \(BOS\)](#)
To: [Gutierrez Garcia, Jessica \(BOS\)](#); [CLARK, JANA \(CAT\)](#); [BOS Legislation, \(BOS\)](#); [Logan, Samantha \(BOS\)](#)
Cc: [Mahmood, Bilal \(BOS\)](#); [Prager, Jackie \(BOS\)](#); [Hare, Emma \(BOS\)](#); [Bell, Tita \(BOS\)](#); [Gaona, Sasha \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Burch, Percy \(BOS\)](#)
Subject: RE: D5 Ordinance Introduction - Restrictions on Use of City Property
Date: Tuesday, December 9, 2025 3:19:03 PM
Attachments: [image001.png](#)

Confirming for Supervisor Walton. Thank you!

Natalie Gee 朱凱勤, Legislative Aide
Supervisor Shamann Walton, District 10

1 Dr. Carlton B. Goodlett Pl, San Francisco | Room 279

Direct: 415.554.7672 | **Office:** 415.554.7670

District 10 Community Events Calendar: <https://bit.ly/d10communityevents>

From: Gutierrez Garcia, Jessica (BOS) <Jessica.GutierrezGarcia@sfgov.org>
Sent: Tuesday, December 09, 2025 3:08 PM
To: CLARK, JANA (CAT) <Jana.Clark@sfcityatty.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>; Logan, Samantha (BOS) <sam.logan@sfgov.org>
Cc: Mahmood, Bilal (BOS) <bilal.mahmood@sfgov.org>; Prager, Jackie (BOS) <jackie.prager@sfgov.org>; Hare, Emma (BOS) <emma.hare@sfgov.org>; Bell, Tita (BOS) <tita.bell@sfgov.org>; Gaona, Sasha (BOS) <sasha.gaona@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>; Gee, Natalie (BOS) <natalie.gee@sfgov.org>; Burch, Percy (BOS) <percy.burch@sfgov.org>
Subject: RE: D5 Ordinance Introduction - Restrictions on Use of City Property

Adding Supervisor Walton's team to confirm co-sponsorship.

Best,
Jessica

From: Clark, Jana (CAT) <Jana.Clark@sfcityatty.org>
Sent: Tuesday, December 9, 2025 1:59 PM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>; Logan, Samantha (BOS) <sam.logan@sfgov.org>
Cc: Mahmood, Bilal (BOS) <bilal.mahmood@sfgov.org>; Gutierrez Garcia, Jessica (BOS) <Jessica.GutierrezGarcia@sfgov.org>; Prager, Jackie (BOS) <jackie.prager@sfgov.org>; Hare, Emma (BOS) <emma.hare@sfgov.org>; Bell, Tita (BOS) <tita.bell@sfgov.org>; Gaona, Sasha (BOS) <sasha.gaona@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: RE: D5 Ordinance Introduction - Restrictions on Use of City Property

I approve as to form

Confidential and privileged communication

Jana Clark (she/her)
Deputy City Attorney
Office of the City Attorney
1 Dr. Carlton B. Goodlett Place, Suite 234
San Francisco, CA 94102
(415) 554-4634

From: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Sent: Tuesday, December 9, 2025 1:58 PM
To: Logan, Samantha (BOS) <sam.logan@sfgov.org>; Clark, Jana (CAT) <Jana.Clark@sfcityatty.org>
Cc: Mahmood, Bilal (BOS) <bilal.mahmood@sfgov.org>; Gutierrez Garcia, Jessica (BOS) <Jessica.GutierrezGarcia@sfgov.org>; Prager, Jackie (BOS) <jackie.prager@sfgov.org>; Hare, Emma (BOS) <emma.hare@sfgov.org>; Bell, Tita (BOS) <tita.bell@sfgov.org>; Gaona, Sasha (BOS) <sasha.gaona@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: RE: D5 Ordinance Introduction - Restrictions on Use of City Property

Hello,

We are seeking the approval from Deputy City Attorney Jana Clark for use of her electronic signature and approval as to form for the attached proposed Ordinance, by reply to this email. Thank you.

Lisa Lew
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.



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The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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From: Logan, Samantha (BOS) <sam.logan@sfgov.org>
Sent: Tuesday, December 9, 2025 1:54 PM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>

Cc: CLARK, JANA (CAT) <Jana.Clark@sfcityatty.org>; Mahmood, Bilal (BOS) <bilal.mahmood@sfgov.org>; Gutierrez Garcia, Jessica (BOS) <Jessica.GutierrezGarcia@sfgov.org>; Prager, Jackie (BOS) <jackie.prager@sfgov.org>; Hare, Emma (BOS) <emma.hare@sfgov.org>; Bell, Tita (BOS) <tita.bell@sfgov.org>; Gaona, Sasha (BOS) <sasha.gaona@sfgov.org>
Subject: D5 Ordinance Introduction - Restrictions on Use of City Property

Good afternoon,

Please find attached the introduction form, legislative digest, and ordinance from our office placing Restrictions on Use of City Property.

I have copied Supervisors Chen, Melgar, Sauter, and Fielder's offices to confirm co-sponsorship.

Deputy City Attorney Jana Clark is also copied above to confirm this legislation is approved as to form.

Please let me know if you have any questions. Thank you!

Best,

Sam Logan | (she/her) | Legislative Director
Office of Supervisor Bilal Mahmood
San Francisco Board of Supervisors, District 5
City Hall, Room 272
(415) 554-6758
[Join Our District 5 Newsletter](#)

From: [Bell, Tita \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#)
Cc: [Logan, Samantha \(BOS\)](#)
Subject: RE: D5 Ordinance Introduction - Restrictions on Use of City Property
Date: Tuesday, December 9, 2025 4:13:33 PM

Confirming for Supervisor Sauter.

Tita Bell

Chief of Staff
Office of Supervisor Danny Sauter
415-554-7451

From: Logan, Samantha (BOS) <sam.logan@sfgov.org>
Sent: Tuesday, December 9, 2025 1:54 PM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Cc: CLARK, JANA (CAT) <Jana.Clark@sfcityatty.org>; Mahmood, Bilal (BOS) <bilal.mahmood@sfgov.org>; Gutierrez Garcia, Jessica (BOS) <Jessica.GutierrezGarcia@sfgov.org>; Prager, Jackie (BOS) <jackie.prager@sfgov.org>; Hare, Emma (BOS) <emma.hare@sfgov.org>; Bell, Tita (BOS) <tita.bell@sfgov.org>; Gaona, Sasha (BOS) <sasha.gaona@sfgov.org>
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San Francisco Board of Supervisors, District 5
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1 [Administrative Code - Restrictions on Use of City Property]

2

3 **Ordinance amending the Administrative Code to prohibit the use of City property**

4 **without the City's authorization, except for uses traditionally available to the public**

5 **without authorization; prohibit any City official or employee from authorizing the use of**

6 **City property if that use would disrupt City operations or discourage access to City**

7 **services, unless the use furthers a City purpose; stating that civil immigration**

8 **enforcement is not a City purpose; and authorizing the City Attorney to bring a cause**

9 **of action against anyone that uses City property for an unlawful or unauthorized**

10 **purpose.**

11 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.

12 **Additions to Codes** are in *single-underline italics Times New Roman font*.

13 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.

14 **Board amendment additions** are in double-underlined Arial font.

15 **Board amendment deletions** are in ~~strikethrough Arial font~~.

16 **Asterisks** (*) indicate the omission of unchanged Code

17 subsections or parts of tables.

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

19 Section 1. Findings.

20 As set forth in the preamble to the City Charter, the City's mission is to improve the

21 quality of urban life; to encourage the participation of all persons and all sectors in the affairs

22 of the City; to enable municipal government to meet the needs of the people effectively and

23 efficiently; to provide for accountability and ethics in public service; to foster social harmony

24 and cohesion; and to assure equality of opportunity for every resident.

25 To further this mission, the City invests in and maintains substantial resources,

26 including real and personal property, to support and administer duly authorized public

27 programs such as health care, education, transportation, emergency response, housing,

1 public safety, workforce and business development, and other essential municipal services.
2 City facilities are critical access points relied upon by all residents, and preserving their safety,
3 accessibility, and operational continuity, is a matter of practical necessity and fiscal
4 responsibility.

5 City law has long prohibited City officials from using City resources to assist in the
6 enforcement of federal immigration laws, except in narrowly defined circumstances.
7 Consistent with the City's mission, the purpose of that prohibition is to encourage the
8 participation of all persons in the affairs of the City. To investigate and solve crimes, fight
9 fires, provide emergency assistance, and deliver comprehensive public health programs,
10 among other things, the City needs the cooperation and involvement of all City residents,
11 regardless of citizenship status. If the City were to assist with the enforcement of federal
12 immigration laws, including permitting the use of City property to conduct enforcement, it
13 would unquestionably discourage that critical cooperation and involvement.

14 Substantial evidence from major cities across the country demonstrates that recent
15 surges in immigration enforcement activity discourage participation in the affairs of those
16 cities, which disrupts municipal operations, creates public health and safety risks, and
17 depresses commercial activity. National surveys conducted by the Urban Institute found that
18 roughly one in six adults in immigrant families avoided public programs or facilities because of
19 immigration-related fears. Community-based organizations in cities experiencing recent
20 immigration raids have reported reduced engagement in public life, with many residents
21 unwilling to access essential services such as health care, libraries, and workforce centers, as
22 well as public events.

23 In Southern California, following reports of increased immigration enforcement activity
24 near medical sites, health clinics reported no-show rates climbing from approximately 9% to
25 more than 30 % with residents skipping medical appointments, vaccinations, and pharmacy

1 visits. Los Angeles County's main hospital reported that even threats of enforcement activity
2 near the hospital discouraged access and thereby jeopardized community health. Also in Los
3 Angeles County, St. John's Community Health, a major nonprofit health-care provider,
4 reported that immigration enforcement activity at a mobile clinic site caused immediate service
5 interruptions.

6 Schools and programs serving youth have recently experienced similar disruptions. In
7 Los Angeles, following reports of increased immigration enforcement near campuses, families
8 avoided school events, including graduation ceremonies. In Chicago, federal activity near
9 public school facilities prompted school lockdowns and the suspension of after-school
10 activities, as families reported fear and confusion about the presence of federal agents on or
11 near school campuses. At Chicago's Funston Elementary School, students on the playground
12 were rushed inside after federal agents deployed tear gas across the street, and recess was
13 canceled for the day.

14 The Economic Policy Institute reported that intensified immigration enforcement
15 increases workplace disruptions, employee turnover, and uncertainty for employers, with
16 adverse spillover effects on local economies that depend on a stable workforce and consumer
17 spending. A July 2025 study found that in California, recent surges in immigration
18 enforcement had caused a sharper decline in workforce participation than any event in the
19 past 40 years other than the Great Recession of 2008-09 and the COVID-19 pandemic. In
20 Washington, D.C., officials observed that workers in neighborhoods impacted by increased
21 immigration enforcement stopped reporting to job sites, adversely affecting the hospitality
22 industry, tourism, and construction. These burdens translate into lost productivity for workers
23 and businesses, and fiscal strain for local jurisdictions.

24 Recent increases in enforcement activity also have carried economic and operational
25 consequences for local business owners, and ultimately local governments. News reports

1 from Chicago's Little Village and Back of the Yards neighborhoods have documented
2 merchants locking their doors and shortening their hours during enforcement sweeps, leading
3 to losses in sales, local tax receipts, and neighborhood vitality. In Los Angeles County,
4 federal immigration actions destabilized businesses and disrupted county service delivery,
5 leading the Board of Supervisors to declare a Local Emergency and to allocate resources to
6 restore community access and economic stability.

7 Immigration enforcement on City property also generates acute public-safety risks.
8 The City has devoted substantial resources to enhancing public safety and as a result has
9 seen a recent 30% drop in crime. Effective public safety requires the cooperation of all City
10 residents, one third of whom are immigrants. The City's efforts to reduce crime and protect
11 public safety will be undermined if federal officers are operating on City property, blurring the
12 lines between local policing and immigration enforcement, and thereby discouraging
13 cooperation with local law enforcement.

14 The ordinance is not intended to and does not amend any existing City laws governing
15 permitting or licensing of City property. The ordinance is not intended to and does not
16 interfere with or obstruct lawful immigration enforcement. Federal immigration enforcement
17 officers regularly carry out immigration enforcement in the City. The purpose of this ordinance
18 is to preserve City resources for programs and services that further the City's mission and to
19 ensure that the use of City property does not undermine that mission by discouraging
20 residents' participation in the City's affairs.

21 City Departments are encouraged to provide training to their employees on the scope
22 and limits of this ordinance.

23
24 Section 2. Chapter 4 of the Administrative Code is hereby amended by revising
25 Section 4.19 to read as follows:

1 **SEC. 4.19. USE OF CITY PROPERTY.**

2 (a) No person or entity may use ~~real~~ and personal property belonging to, or subject
3 to the control of, any City and County department, board, commission, or other authority
4 (hereinafter “the City”) unless the use shall only be used to advance~~s~~ or promote~~s~~ public programs
5 or other purposes authorized by the City and the City has which have been duly authorized the use by
6 the appropriate public agency.

7 (b) No City official, employee, department, board, commission, or other authority shall
8 authorize the use of any real or personal property subject to the control or jurisdiction of the City if the
9 use will disrupt City operations or discourage access to City services, unless the use furthers a City
10 purpose.

11 (c) The use of real or personal property to assist in the enforcement of Federal immigration
12 law is not a City purpose.

13 (d) The use of real or personal property shall mean the right to occupy or use the property,
14 to the exclusion of others, and shall include but not be limited to a license, permit to enter, use permit,
15 or other similar instrument. It shall not mean non-exclusive access or use of the City’s property
16 traditionally open and available to the public where that access or use is on the same terms as
17 members of the public and does not disrupt City operations.

18 (e) Upon finding that a City and County official or employee has engaged in
19 activities prohibited by this Section 4.19, that official or employee shall be subject to
20 disciplinary action in accordance with the applicable provisions of the Charter.

21 (f) Nothing in this Section 4.19 shall be construed to interfere with or inhibit any exercise
22 of the constitutionally protected rights of freedom of speech or assembly or to prevent the use of, or
23 access to, City property as required by law.

24 (g) The City Attorney is authorized to bring a cause of action against any person or entity
25 that violates this Section 4.19 by using City property for an unlawful or unauthorized purpose.

1
2 Section 3. No Conflict with Federal or State Law. Nothing in this ordinance shall be
3 interpreted or applied to create any requirement, power, or duty in conflict with any federal or
4 state law.

5
6 Section 4. No Conflict with Existing Property Interest or Agreements. Nothing in this
7 ordinance shall be interpreted or applied to affect or interfere with any property interest or
8 agreement, including but not limited to amendments to those agreements, deeds, easements,
9 leases, licenses, or permits, to occupy or use City real or personal property that is entered into
10 or effective before the effective date of this ordinance.

11
12 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
13 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
14 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
15 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
16 additions, and Board amendment deletions in accordance with the "Note" that appears under
17 the official title of the ordinance.

18
19 Section 6. Undertaking for the General Welfare. In enacting and implementing this
20 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not
21 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it
22 is liable in money damages to any person who claims that such breach proximately caused
23 injury.

24
25 Section 7. Severability. If any section, subsection, sentence, clause, phrase, or word

1 of this ordinance, or any application thereof to any person or circumstance, is held to be
2 invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision
3 shall not affect the validity of the remaining portions or applications of the ordinance. The
4 Board of Supervisors hereby declares that it would have passed this ordinance and each and
5 every section, subsection, sentence, clause, phrase, and word not declared invalid or
6 unconstitutional without regard to whether any other portion of this ordinance or application
7 thereof would be subsequently declared invalid or unconstitutional.

8

9 Section 8. Effective Date. This ordinance shall become effective 30 days after
10 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
11 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
12 of Supervisors overrides the Mayor's veto of the ordinance.

13

14 APPROVED AS TO FORM:
15 DAVID CHIU, City Attorney

16 By: /s/
17 JANA CLARK
Deputy City Attorney

18 k:\jclark\ord draft 15 limits on use of city property .docx

19

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22

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