

# City of Philadelphia



(Bill No. 260061)

## AN ORDINANCE

Amending Title 10 of The Philadelphia Code, entitled “Regulation of Individual Conduct and Activity,” and amending Title 11 of The Philadelphia Code, entitled “Streets,” to prohibit immigration enforcement on City and City-related property and facilities, to prohibit immigration enforcement in the right-of-way and provide for civil enforcement of violations, all under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. Title 10 of The Philadelphia Code is hereby amended to read as follows:

### TITLE 10. REGULATION OF INDIVIDUAL CONDUCT AND ACTIVITY

\* \* \*

#### CHAPTER 10-800. SAFETY.

\* \* \*

#### *§ 10-849. Prohibiting Immigration Enforcement in City-Owned or Operated Spaces*

*(1) Definitions. The following definitions shall apply to this Section:*

*(a) City-owned or controlled property. Any property identified as owned or controlled by the City of Philadelphia including, but not limited to:*

*(.1) Non-public areas of buildings;*

*(.2) Parking lots;*

*(.3) Garages;*

*(.4) Parks;*

*(.5) Vacant lots;*

*(.6) Playgrounds;*

*(.7) Property within the jurisdiction of the City operated by the City Controller, Sheriff, City Commissioners, or Register of Wills.*

# City of Philadelphia

BILL NO. 260061 continued

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*(b) Staging area. An area that is used to assemble, mobilize, and deploy vehicles, equipment, or materials, and related personnel, for the purpose of carrying out civil immigration enforcement operations.*

*(c) Processing location. Except for City airport facilities subject to contrary federal law or municipal regulations, an area that is used for activities such as the identification, intake, processing of documentation, detention, arrest, or temporary holding of individuals in connection with civil immigration enforcement operations.*

*(d) Operation base. An area that is used to plan, coordinate and execute civil immigration enforcement activities.*

*(e) City designee. The highest-ranking manager or official designated by a City Agency to serve as the authorized representative for purposes of communicating with immigration enforcement agents regarding requests under this Section, and at least one alternate manager or official to serve in their absence.*

*(f) City agency. Any City department, agency, division, commission, council, authority, committee, board, or officer of the City of Philadelphia, or other body established by authority of ordinance, executive order, or Charter.*

*(g) Contractor or subcontractor. Any person or entity that receives City funds or is party to, or a subcontractor for, an agreement to provide services or goods to, or on behalf of, the City*

*(h) Judicial warrant. A warrant based on probable cause and issued by a judge appointed pursuant to Article III of the United States Constitution or a federal magistrate judge appointed pursuant to Section 631 of Title 28 of the United States Code.*

*(2) No City-owned or controlled property shall be used as a staging area, processing location, or operations base for civil immigration enforcement.*

*(3) City agencies shall collaborate to identify City-owned or controlled property that either have been used, or are likely to be used in the future, as a staging area, processing location, or operations base for the purpose of civil immigration enforcement. Departments and Agencies shall ensure that all such properties have clear signage stating:*

*This property is owned or controlled by the City of Philadelphia. It may not be used for civil immigration enforcement as a: Staging Area, Processing Location, or Operations Base*

# City of Philadelphia

BILL NO. 260061 continued

Certified Copy

(4) *Departments and Agencies shall ensure that, wherever appropriate, physical barriers, such as locked gates, are used to limit access to Philadelphia-owned or controlled property consistent with this Section.*

(5) *Within 30 days of passage of this Act, City agencies shall develop the procedures necessary to implement this Act. These implementing procedures shall provide that any Philadelphia employee who becomes aware of the attempted or actual use of a Philadelphia-owned or controlled property as a staging area, processing location, or operations base for civil immigration enforcement shall immediately report to their supervisor, who will communicate with the City Solicitor.*

(6) *This section does not apply to property that is subject to an existing lease or concession agreement to which the City of Philadelphia is a party. This Section is not intended to, and shall not be interpreted to, interfere with any such lease or agreement.*

(7) *Certification. Any City agency, contractor, or subcontractor shall promptly notify the Office of the Mayor and City Council if any City-owned or controlled property is used as a staging area, processing location, or operations base for the purpose of civil immigration enforcement.*

(8) *Nothing in this Section shall be construed as restricting or interfering with the execution of lawful judicial warrants or the enforcement of criminal law, nor as limiting the rights of any person or entity under state or federal law. This Section does not prohibit the lawful use of Philadelphia-owned or controlled property for purposes other than a staging area, processing location, or operations base for civil immigration enforcement, nor does it restrict any person or entity from carrying out functions unrelated to those purposes on such property.*

(9) *Private right of action. The City Solicitor or any individual aggrieved by a violation of this Section or any entity a member of which is aggrieved by a violation of this Section may bring a civil action in a court of competent jurisdiction against a county, city, department or agency that employs a person violating this Section and no individual City employee or agent acting within the scope of their employment, and without authority as a City Designee, shall be subject to civil liability under this subsection. The limitations period for a civil action brought pursuant to this Section shall be three (3) years from the date the complainant knew or should have known of the alleged violation.*

(10) *Remedies: A court of competent jurisdiction may order the following remedies:*

(a) *An order requiring the county, city, department or agency to cease and desist the unlawful practice;*

(b) *Payment of compensatory or punitive damages, provided that an aggrieved person shall make a reasonable effort to mitigate any damages;*

(c) *Payment of reasonable attorney fees;*

# City of Philadelphia

BILL NO. 260061 continued

Certified Copy

*(d) Payment of court costs;*

*(e) Payment of a fine not to exceed two thousand dollars (\$2,000) for each violation; and*

*(f) Revocation of a contract with a City contractor or subcontractor, or the barment of future contracts for a period of time not to exceed five years; and*

*(g) Other equitable relief, including, but not limited to, the dismissal or removal from office of the law enforcement officer.*

*(11) Severability. If any provision of this Section or application thereof to any person or circumstance is judged invalid, the invalidity shall not affect other provisions or applications of the Section which can be given effect without the invalid provision or application, and to this end the provisions of this Section are declared severable.*

\* \* \*

SECTION 2. Title 11 of The Philadelphia Code is hereby amended to read as follows:

## TITLE 11. STREETS

\* \* \*

### CHAPTER 11-700. Right-of-Way Management.

\* \* \*

#### *§ 11-701. Prohibiting Immigration Enforcement in City-Owned or Operated Spaces*

(3) Use Authorized. No ROW Registration shall confer any exclusive right, privilege or license to occupy or use the Right-of-Way for any purpose; or mean or include any exclusive right or privilege of transacting and carrying on any business within the City; or explicitly or impliedly preclude or affect the City's right to authorize use of the Right-of-Way by other Persons to own, construct, operate, maintain, and/or provide the same or different Facilities or Services, or for other purposes as the City determines appropriate; or affect the City's right to itself construct, operate or maintain any type of Facilities or offer any type of Services in the Right-of-Way, with or without a ROW Registration; or authorize, or excuse any entity from securing, such further easements, leases, permits or other approvals as may be required by applicable law or regulation to occupy and use the Right-of-Way; or convey any right, title or interest in any Right-of-Way greater or other than the access granted by the ROW Registration.

*(a) The City hereby determines that appropriate use of a Right-of-Way shall not include use of such spaces as a staging area, processing location, or operations base for civil immigration enforcement, to the extent permitted by state or federal law.*

# City of Philadelphia

*BILL NO. 260061 continued*

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SECTION 3. This Ordinance shall take effect 60 days after it becomes law.

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**Explanation:**

[Brackets] indicate matter deleted.  
*Italics* indicate new matter added.

# City of Philadelphia

*BILL NO. 260061 continued*

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on April 23, 2026. The Bill was Signed by the Mayor on May 7, 2026.

A handwritten signature in black ink, reading "Elizabeth McCollum". The signature is written in a cursive style with a large, looping initial "E".

Elizabeth McCollum  
Chief Clerk of the City Council