



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 260062

Introduced January 29, 2026

Councilmember Brooks

AN ORDINANCE

Amending Title 10 of The Philadelphia Code, entitled "Regulation of Individual Conduct and Activity," to restrict the use of community spaces for government purposes not expressly authorized by the City or the courts 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.

* * *

§ 10-848. Protecting Community Spaces

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

- (a) Law Enforcement Officer. Any "peace officer" as defined in 18 Pa.C.S. § 501 (relating to definitions).*
- (b) Hospital. Any institution accredited by the appropriate state authority to provide medical care, pursuant to 31 Pa. Code § 88.131.*
- (c) Information. Any personal identifying information, including custody status, release date, photos, Social Security number, Individual Tax Identification Number, contact*

City of Philadelphia

BILL NO. 260062 *continued*

information, place of birth, country of origin, place of employment, school or educational institution records, income, status as a recipient of public benefits, public utilities accounts, medical information or disability information.

(d) Municipal Authority. An authority established by the City of Philadelphia pursuant to Pennsylvania Municipality Authorities Act, 53 Pa. C.S. § 5601 et seq.

(e) 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.

(f) Administrative warrant. An order to arrest a person for an immigration violation, including an I-200 “Warrant for Arrest of Alien,” an I-205 “Warrant of Removal/Deportation,” and any similar forms.

(2) Safe Community Place means any property or facility owned, controlled, or operated by the City or a Municipal Authority, including but not limited to such property that is a:

(a) Hospital or other facility providing healthcare services;

(b) School operated by the School District of Philadelphia, charter school, or City-funded or licensed pre-school;

(c) Library;

(d) Designated disaster and emergency response site;

(e) Courthouse;

(f) Homeless shelter, rape crisis center, domestic violence shelter, family justice center, or human trafficking service provider;

(g) Legal service provider;

(h) Park or recreation center;

(i) Community resource center;

(j) Property within the jurisdiction of the City operated by the City Controller, Sheriff, City Commissioners, or Register of Wills to the extent permitted by state or federal law; or

(k) Any other location properly designated by the City Solicitor or District Attorney of

City of Philadelphia

BILL NO. 260062 *continued*

Philadelphia.

(3) No employee or agent engaged in official duties at a Safe Community Place shall have the authority to consent to permitting a law enforcement officer to enter a nonpublic area of the facility for the purpose, or in furtherance, of an operation executed in whole or part by federal authorities or out-of-state authorities that seeks:

(a) To identify or impose civil or criminal liability upon a person or entity based on their participation in activities protected by the First Amendment of the U.S. Constitution or Article 1 Section 7 of the Pennsylvania Constitution including assembly, petitioning, and speech;

(b) To identify, arrest or otherwise impose a penalty upon a person for purposes of federal immigration enforcement, including an immigration enforcement operation.

(4) Agencies and Departments, as designated by the Mayor, are authorized to identify property that has been, and is likely to be used by, immigration enforcement. Each identified City-owned or controlled property shall have clear signage to this effect stating the following: "In nonpublic areas of this property, a judicial warrant is required for law enforcement activities and no voluntary consent may be solicited from any employee."

(5) This section does not prevent compliance with a valid judicial warrant authorizing entry or entry under exigent circumstances.

(6) Exclusive right of enforcement. The City Solicitor shall possess the exclusive right to bring a civil action in a court of competent jurisdiction against a person violating this Chapter. 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.

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

(c) Other equitable relief, including, but not limited to, the dismissal or removal from office of the offending individual.

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

City of Philadelphia

BILL NO. 260062 continued

SECTION 2. This Ordinance shall take effect 60 days after its adoption.

Explanation:

Italics indicate new matter added.