



City of Philadelphia

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

BILL NO. 260061

Introduced January 29, 2026

Councilmember Brooks

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

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CHAPTER 10-800. SAFETY.

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§ 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) Buildings;

(.2) Parking lots;

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(.3) Garages;

(.4) Parks;

(.5) Vacant lots;

(.6) Playgrounds;

(.7) Libraries;

(.8) Buses;

(.9) Schools operated by the School District of Philadelphia, charter schools, or City-funded or licensed pre-schools;

(.10) Property within the jurisdiction of the City operated by the City Controller, Sheriff, City Commissioners, or Register of Wills; and

(.11) Any other property identified as being “owned” or “controlled” by the City of Philadelphia.

(b) Immigration enforcement. Any action pertaining to execution of immigration-related federal law, including enforcement or processing of individuals based on their immigration status shall be construed to mean, for the purposes of this Section:

(.1) Processing;

(.2) Operations;

(.3) Questioning;

(.4) Staging;

(.5) Raids;

(.6) Arrests; and

(.7) Any other activities deemed necessary to conduct federal immigration enforcement.

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

(2) It is unlawful to use City-owned or controlled property for the purposes of staging,

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conducting or assisting federal immigration enforcement activities.

(3) It is the intent of this Council that any Municipal Authority authorized by Resolution or Ordinance by the City of Philadelphia shall engage in the following project, pursuant to the Pennsylvania Municipal Authorities Act, P.L. 282, No. 22 § 5607(c)-(d): To follow any authorizing authority resolution or ordinance, without allowing immigration enforcement authorities onto property held by the Municipal Authority absent judicial warrant, or expending any resources for purposes or in support of immigration enforcement, including but not limited to providing authorization for immigration enforcement actions such as staging at properties held by Municipal Authorities, to the extent permitted by state or federal law.

(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: "This property is owned and controlled by the City of Philadelphia. It may not be used for immigration enforcement activities."

(5) 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.

(6) 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;

(d) Payment of court costs;

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

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

(7) 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.

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

TITLE 11. STREETS

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

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§ 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 for immigration enforcement activities, to the extent permitted by state or federal law.

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

Explanation:

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