

## Prohibiting Tents on Public Sidewalks\*

Digest by the Ballot Simplification Committee

**Status:** Final Digest

**On:** Wednesday, August 3, 2016

**Members:** Packard, Anderson, Fraps, Jorgensen

**Deadline to Request Reconsideration:** 10 a.m. on Thursday, August 4

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**The Way It Is Now:** City law prohibits the willful obstruction of public sidewalks. City law also prohibits sitting or lying on public sidewalks from 7:00 a.m. to 11:00 p.m. City law authorizes the Department of Public Health to remove public nuisances, which include unsanitary structures.

City law does not specifically prohibit placing tents on public sidewalks.

**The Proposal:** Proposition \_\_\_\_ would prohibit placing tents on public sidewalks without a City permit.

The City would not be allowed to remove or order removal of an unauthorized tent unless the City had available shelter for all residents of the tent. Under Proposition \_\_\_\_, shelter includes City-operated shelters, Navigation Centers and other City-operated housing.

Before removing or ordering a person to remove an unauthorized tent on a public sidewalk, the City would be required to:

- offer shelter to all tent residents;
- offer to pay the cost to transport all tent residents to live with friends or family outside San Francisco; and
- provide written notice that the City will remove the tent in 24 hours. The City would have to provide this notice to all tent residents and post the notice near the tent.

If residents do not accept the City's offer of housing or shelter, or do not remove the unauthorized tent within 24 hours of the notice, the City may remove the tent. After removing the tent, the City would be required to post a written notice near the area where the tent was located. The notice would have to describe all personal property removed and state:

- when and why the tent was removed;
- where the City is storing the personal property;
- that the City is not charging for the storage or retrieval of the personal property; and
- that the City will discard the personal property after 90 days if not retrieved.

**A "YES" Vote Means:** If you vote "yes," you want to prohibit the placement of tents on public sidewalks without a City permit and allow the City to remove unauthorized tents if the City provides 24-hour advance notice, offers shelter for all tent residents and stores the residents' personal property for up to 90 days.

**A "NO" Vote Means:** If you vote "no," you do not want to make these changes.

*\*Working title, for identification only. The Director of Elections determines the title of each local ballot measure; measure titles are not considered during Ballot Simplification Committee meetings.*