

ORDINANCE NO. ORD-2026-005

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ADDING CHAPTER 13-40 TO THE SANTA ROSA CITY CODE TO (1) ESTABLISH THAT CIVIL IMMIGRATION ENFORCEMENT IS NOT A CITY PURPOSE; AND (2) PROHIBIT USE OF CITY PROPERTY THAT WOULD DISRUPT CITY OPERATIONS OR DISCOURAGE ACCESS TO CITY SERVICES, UNLESS THE USE FURTHERS A CITY PURPOSE OR IS TRADITIONALLY AVAILABLE TO THE PUBLIC WITHOUT CITY AUTHORIZATION

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

Section 1. Findings. The City’s mission is: “To provide high-quality public services and cultivate a vibrant, resilient and livable city.” The City values excellence, innovation, teamwork, integrity, inclusiveness, and transparency.

To further its mission and values, the City Council has set the following strategic priorities: (1) fiscal sustainability and budgeting excellence; (2) development and maintenance of City infrastructure; (3) Citywide economic development; (4) fostering a safe, healthy, and inclusive community; and (5) housing for all and homelessness reduction. The City invests in and maintains substantial resources, including real and personal property, to support and administer public programs in furtherance of these strategic priorities and other essential municipal services. City facilities are critical access points relied upon by all residents and visitors, and preserving their safety, accessibility, and operational continuity, is a matter of practical necessity and fiscal responsibility.

Existing City policy and state law prohibit City officials from using City resources to assist in the enforcement of federal immigration laws, except in narrowly defined circumstances. In 2017, the City Council adopted Resolution Number 2017-017 declaring Santa Rosa an indivisible city committed to safeguarding the civil rights, safety, and dignity of all Santa Rosa residents, and acknowledging that Santa Rosa is a community of diverse individuals that prides itself on being a place that welcomes persons and families from all cultures, religions, backgrounds, orientations, abilities, and viewpoints.

Enforcement of immigration laws by local police is against City policy as it raises complex legal, logistical, and resource issues for the City, including undermining immigrant communities’ trust in and cooperation with the City and detracting from the Santa Rosa Police Department’s core mission of creating a safe and livable community for all.

To protect public safety, the City strives to foster trust and cooperation between the City, including its police department, and its immigrant communities, by encouraging immigrants to report crime and speak to the police without fear of being arrested or detained by, or reported to, federal immigration authorities. If the City were to assist with the enforcement of federal immigration laws, including permitting the use of City property to assist in that enforcement, it would unquestionably discourage that critical cooperation and involvement. In short, public safety will be undermined if federal officers are using City property to assist with immigration enforcement.

As other jurisdictions have noted, substantial evidence from major cities across the country demonstrates that recent surges in immigration enforcement activity discourage participation in the affairs of those cities, which disrupts municipal operations, creates public health and safety risks, and depresses commercial activity. National surveys conducted by the Urban Institute found that roughly one in six adults in immigrant families avoided public programs or facilities because of immigration-related fears.

Los Angeles County's main hospital reported that even threats of enforcement activity near the hospital discouraged access and thereby jeopardized community health. In Chicago, federal activity near public school facilities prompted school lockdowns and the suspension of after-school activities, as families reported fear and confusion about the presence of federal agents on or near school campuses.

The Economic Policy Institute recently reported that intensified immigration enforcement increases workplace disruptions, employee turnover, and uncertainty for employers, with adverse spillover effects on local economies that depend on a stable workforce and consumer spending.

In Washington, D.C., officials observed that workers in neighborhoods impacted by increased immigration enforcement stopped reporting to job sites, adversely affecting the hospitality industry, tourism, and construction. These burdens translate into lost productivity for workers and businesses, and fiscal strain for local jurisdictions like Santa Rosa that depend heavily on revenue from sales tax, business license tax, and transient occupancy tax to support municipal functions.

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

The ordinance is not intended to and does not interfere with or obstruct lawful immigration enforcement. This ordinance does not change existing requirements for permitting or licensing of City property. The purpose of this ordinance is to preserve City resources for programs and services that further the City's mission and to ensure that the use of City property does not undermine that mission by discouraging residents' participation in the City's affairs.

Section 2. Title 13 of the Santa Rosa City Code is amended to add Chapter 13-40 to read as follows:

“Chapter 13-40 USE OF CITY PROPERTY.

(a) No person or entity may use City property unless the use advances or promotes public programs or other purposes authorized by the City and the City has authorized the use.

For purposes of this Chapter, City property means real property or personal property belonging to, or subject to the control of, the City or any of its departments, boards, or commissions.

(b) No City official, employee, department, board, commission, or other authority shall authorize the use of City property if the use will disrupt City operations or discourage access to City services, unless the use furthers a City purpose.

(c) The use of City property to assist in the enforcement of Federal civil immigration law is not a City purpose.

(d) The use of City property shall mean the right to occupy or use the property, to the exclusion of others, and shall include but not be limited to a license, permit to enter, use permit, or other similar instrument. It shall not mean non-exclusive access or use of City 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.

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

(f) The City Attorney is authorized to bring a cause of action for injunctive or other civil relief against any person or entity that violates this Chapter by using City property for an unlawful or unauthorized purpose.”

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

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

Section 5. Scope of Ordinance. In enacting this ordinance, the City Council intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the City Code that are explicitly shown in this ordinance.

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

Section 7. Environmental Determination. Pursuant to CEQA Guidelines Section 15378, the recommended action is not a “project” subject to the California Environmental Quality Act because it does not have a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. Additionally, the Council finds that the adoption and implementation of this ordinance are exempt from the provisions of the California Environmental Quality Act under section 15061(b)3 in that the Council finds there is no possibility that the implementation of this ordinance may have significant effects on the environment.

Section 8. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 9. Effective Date. This ordinance shall take effect on the 31st day following its adoption.

This ordinance was introduced by the Council of the City of Santa Rosa on March 24, 2026.

IN COUNCIL DULY PASSED AND ADOPTED this 7th day of April, 2026.

AYES: (6) Mayor Stapp, Vice Mayor Okrepkie, Council Members Bañuelos, Fleming, MacDonald, Rogers

NOES: (0)

ABSENT: (1) Council Member Alvarez

ABSTAIN: (0)

RECUSE: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney