

## PROCEDURE 16.05.08

## REMOVAL AND TEMPORARY STORAGE OF PERSONAL ITEMS COLLECTED FROM PUBLIC PROPERTY

## A. PURPOSE AND SCOPE

Public Works staff adheres to this policy when removing personal items from public property for temporary storage and retrieval. These procedures are commonly known as “bag and tag.” These rules apply to Public Works staff when they are working on City property, as well as when working with another agency or on property under the jurisdiction of another agency (*i.e.*, Caltrans). This policy applies to both attended and unattended property, but it does not apply to the removal of abandoned property from the public right of way. (See definition of “abandoned” property below in Section II (A).).

## B. CIRCUMSTANCES IN WHICH PERSONAL ITEMS MAY BE COLLECTED AND STORED

1. Unattended Items

Upon inspection by street cleaning staff, unattended personal items – such as medication, tents, luggage, bedding, backpacks, personal papers, and operational wheelchairs – will be collected and stored for up to 90 days for retrieval. Only items listed below under “Items That Will Be Discarded” will be discarded immediately. All other items will be removed and stored. Staff will place a Post-Removal Notice in the area from which the items were removed stating how, where and when the items may be retrieved. (See Section IV below regarding Notices).

Under no circumstances may staff take or keep for themselves unattended personal items for their own use, or allow non-City personnel to take unattended property for their own use.

**Distinguishing Between Unattended vs. Abandoned Property:** Temporarily unattended property is different from abandoned property, which may be immediately discarded. In determining if property is abandoned, staff should evaluate the facts and circumstances surrounding the items. Unattended property is not abandoned if it is accompanied by signs of ownership – for example, an unattended tent that is filled with personal belongings, or items that are being stored in an orderly manner (*i.e.*, packed up, wrapped, or covered). In addition, if there is a third party present who states s/he has been designated to watch or secure the items during the owner’s temporary absence, the items are not considered abandoned.

By contrast, abandoned items are unaccompanied by objective indications of ownership, for example, an empty or broken tent sitting by itself on a sidewalk with no other belongings, a bag of clothes open and strewn across a sidewalk, or items that are broken, disheveled, surrounded by trash, or show other signs of neglect. This policy does not apply to abandoned property.

2. Attended Items

- a. In the case of **routine cleaning operations** (*i.e.*, where individuals are allowed to return to a location following cleaning and there is no permanent removal), staff will provide the owner sufficient time to collect and move their belongings out of the public right of way, taking into account any special needs that individuals may have and the volume of belongings.

- If the owner is unwilling to collect and move his/her belongings, staff may either (i) clean around the belongings, or (ii) call the Police Department for assistance. If (ii), under the direction of the San Francisco Police Department, staff will give oral notice that the items will be collected if they are not moved by the owner, and then bag and tag unremoved belongings in accordance with this policy.
  - If the owner is unable to collect and move his/her belongings, staff may either (i) clean around the belongings, or (ii) bag and tag personal items in accordance with this policy.
  - If attended items are bagged and tagged, staff shall provide the owner with information on how and where the items may be retrieved from Public Works' storage facility.
- b. In the case of **pre-planned special cleanup events, such as encampment removals, or when responding to 311 service requests**, staff should (a) provide the owner with sufficient time to collect and move his/her belongings, taking into account any special needs that individuals may have and the volume of belongings, (b) bag and tag those personal items that the owner cannot or does not remove him/herself, and (c) provide information on how and where the items may be retrieved from Public Works' storage facility.
- c. **Upon request of the San Francisco Police Department.** Officers encountering individuals who are, for example, being connected with social services, being asked to clear the public right of way, or are subject to arrest, may call on Public Works to collect and store personal belongings. Public Works employees should treat those individuals' belongings as attended items and comply with the rules for attended items above. Officers also may collect personal items themselves and deliver to Public Works for storage.

**NOTE:** Staff may discard any attended items the owner affirmatively states that he or she does not want.

## C. ITEMS THAT WILL BE DISCARDED AND NOT STORED

- **Items that present an immediate health or safety risk**, such as:
  - toxic sharps: needles, scissors, knives
  - chemicals: bleach, paint, oils, etc.
  - items (including bedding and clothing) soiled by infectious materials: human waste, body fluids, moldy, mildewed items
  - items infested by rodents and insects: rats, mice, fleas, lice, bed bugs
  - NOTE: If personal belongings are co-mingled or littered with needles, human waste, or other health risks, staff may dispose of the entire pile of belongings and are not required to sort through and attempt to remove the health or safety risks.
- **Furniture, mattresses, sheds, rolling structures, and bulky items.** A "bulky item" is any single item that does not fit in a 60-gallon container with the lid closed, except for a tent, or an operational walker, operational wheelchair, operational crutches or operational bicycle. Personal belongings located inside a bulky item bin shall be stored even if the bulky item itself is discarded.
- **Perishable items, perishable food.**
- **Contraband, illegal items;** refer to San Francisco Police Department.
- **Trash, garbage, and/or debris.** This includes property that appears to have been discarded by its owner and broken appliances or broken furniture. If staff has a reasonable doubt as to whether an item constitutes trash, it should be collected and stored.
- **Abandoned property** (see definition above).



**NOTE:** Shopping carts are governed by Public Works Procedure 16.05.05 and are not subject to this policy. However, personal property inside a shopping cart shall be bagged and tagged in accordance with this policy.

There is no limit to the number or volume of personal items that Public Works will bag and tag for a particular individual so long as they are not bulky items, as defined above, or do not otherwise constitute “Items That Will Be Discarded” under this Section III. However, the Director of Public Works may, after determining that the storage facility at the Public Works Operations Yard is at or near full capacity and after clearing out property that is older than 90 days, issue a written directive imposing a temporary reasonable per-person limit on the volume of property to be stored that will remain in effect until additional capacity is identified and funded.

## D. NOTICES

### 1. Pre-Removal Notice

- a. For **pre-planned special cleanup events** conducted with or without other City departments, for example permanent removals of encampments, the City will provide 72 hours advance written notice, so long as the site does not present any imminent health or safety hazards requiring immediate removal.

Pre-Removal Notice shall be provided in writing to individuals who are present and posted conspicuously on or near the personal property that will be removed. The Notice shall be in a form substantially similar to the “Pre-Removal Notice” attached to this policy.

- b. For **routine cleaning operations** (*i.e.*, where individuals are allowed to return to the location following cleaning and there is no permanent removal), or when responding to 311 service requests, advance written notice is not required; however, staff shall give persons sufficient time to collect and move their items, taking into account that individuals may have special needs and the volume of belongings.

### 2. Post-Removal Notice

After any removal of unattended property – whether during a pre-planned special cleanup event or a routine cleaning operation – Public Works staff shall place a Post-Removal Notice in the area from which the items were removed. See attached sample Post-Removal Notice.

## E. PROCEDURE FOR COLLECTING PERSONAL ITEMS

Public Works staff is required to wear necessary safety gear and personal protective equipment, and follow the department’s code of safe practices for field and yard operations.

Public Works staff is required to follow these procedures when collecting personal items:

1. Items are assessed for safety under the criteria for collection or for discarding.
  - a. If items are found to be hazardous or unfit for collection, they are to be discarded.
  - b. If items are deemed personal property, then they are to be collected following these procedures.
2. If the owner of the items is present, under the direction of the San Francisco Police Department, staff will give oral notice that the items will be collected if they are not moved by the owner. Staff will comply with the rules set forth above for Attended Items.

3. Public Works staff collects the personal items and while in the field documents the collection with a “Personal Property Collection Bag and Tag Intake Form.”

- a. Forms are kept with Public Works cleaning staff and zone supervisors. See Appendix for example of form.
- b. Information collected includes:
  - i. date
  - ii. time
  - iii. location (as specific as possible, address preferred)
    - street address
    - cross street
    - what corner of intersection (if applicable)
  - iv. name of owner of personal items (if property is attended, or if the name is otherwise known because the property is labeled or another individual present provides staff with the name of the owner)
  - v. brief description of items
  - vi. contact information of owner (if applicable)
  - vii. Public Works staff name
  - viii. Public Works staff supervisor name
  - ix. San Francisco Police Department officer name (if applicable)
  - x. San Francisco Police Department badge number (if applicable)
  - xi. tag color (corresponds to month)
  - xii. tag number
  - xiii. service request number (if applicable)

4. If owner of the items is present but is unable or unwilling to remove their belongings themselves, Public Works staff will provide written and oral information on how, where and when the items may be retrieved. If the owner is not present (*i.e.*, the items are unattended), staff will place a “Post-Removal Notice” in the area from which the items are removed. The notice will be posted for 24 hours.

5. Public Works staff delivers the items and the intake form to the Public Works Operations Yard at 2323 Cesar Chavez Street. Items are delivered to the lower yard at the locked “First 72 Hours” storage container.

- a. If during working hours, Public Works “bag and tag” staff will intake the items for storage:
  - i. place the items in the “First 72 Hours” storage container
  - ii. fill out a colored “tag” for the items with the corresponding information from the intake form
  - iii. place the tagged items in the 72-hour holding area
- b. If after working hours, Public Works cleaning staff delivering the items will:
  - i. place the items in the “First 72 Hours” storage container
  - ii. fill out a colored “tag” for the items with the corresponding information from the intake form
  - iii. place the tagged items in the 72-hour holding area

6. When items are dropped off by anyone other than Public Works staff (by the San Francisco Police Department, for example), they must be logged in following the same procedure with a completed form and corresponding colored tag.

## F. TEMPORARY STORAGE

Personal items are stored at the Public Works Operations Yard at 2323 Cesar Chavez Street for 90 days. After 90 days, unclaimed items are discarded.



For the first 72 hours after items are collected and stored, they can be claimed by their owners 24 hours a day.

- Starting from the date and time of the collection of items for three days (72 hours), owners can come to the Public Works Operations Yard at 2323 Cesar Chavez Street any time of the day and retrieve their items.
- Personal items will be stored in the 72-hour holding area.

After the first 72 hours and up to 90 days from the item collection, owners can come to the Public Works Operations Yard 2323 Cesar Chavez Street, Monday through Friday, 9 a.m. to 3 p.m. to retrieve their items.

## **G. PROCEDURE FOR RETRIEVAL OF PERSONAL ITEMS**

Owners of collected personal property may retrieve their items at the Public Works Operations Yard at 2323 Cesar Chavez Street.

- If collected within the previous 72 hours, owners can retrieve items anytime, day or night. If the items were collected more than 72 hours ago, the owner may retrieve items Monday through Friday, 9 a.m. to 3 p.m.
- Owners must provide satisfactory proof of ownership; i.e. describing the location of where the items were and when collected, or describing the specific items that were collected.
- No government or photo identification is required.
- There is no fee charged for temporary storage of items.

Owners of the items should arrive at the Kansas Street entrance, at Marin Street.

- Call for Public Works staff on intercom, or call the Radio Room at 415-695-2134.
- Owners of the items will wait at the gate for items to be delivered by Public Works staff, and will not enter the Operations Yard.
- Public Works staff will meet with the prospective owners at the gate to coordinate the property retrieval.
- Owners must sign and date the intake form to designate that the items have been picked up.

If it is Monday through Friday, 9 a.m. to 3 p.m.:

- The Radio Room will notify the Public Works “bag and tag” staff member to perform the procedures for the retrieval and documentation.

If during the first 72 hours and at a time not on a Monday through Friday, 9 a.m. to 3 p.m.:

- The Radio Room will notify the Public Works supervisor on duty to perform the procedures for the retrieval and documentation.

1. Prospective owners will describe the items to be retrieved.
2. Public Works staff will attempt to find the items in storage and the corresponding tag and intake form.
3. Upon confirmation that the items do belong to the owner, staff will deliver the items to the owner at the Kansas Street gate.
4. Staff will compare the tag on the items to the intake form to confirm that all of the items are accounted for.
5. Staff will request that the owner sign and date the intake form to designate that the items have been collected.



6. Intake form is filed for documentation in triplicate: white page to log book, yellow page to radio room, pink page given to the owner along with the property.

At no time are members of the public allowed to visit storage area to look for items in the storage area.

Public Works “bag and tag” staff will regularly itemize and organize the stored items.

- After 90 days, unclaimed items are discarded. Public Works will record the date of disposal.
- Intake form is updated to note that the items went unclaimed.



**Date of posting:**  
**Time of posting:**

## **SAN FRANCISCO PUBLIC WORKS 72-HOUR NOTICE OF PLANNED REMOVAL OF PROPERTY**

Be advised that the [encampment and/or personal property] located at [describe location] is in violation of City law. Any individuals residing in this area need to immediately move off this site and remove any personal property they own.

On [insert date], at [insert time], the City and County of San Francisco Public Works will conduct a clean-up of the area, including the removal of all personal property, temporary shelters, junk and/or garbage from the area.

Any personal property removed will be taken to the Public Works Operations Yard at 2323 Cesar Chavez Street. Owners of the items should go to the Kansas Street entrance, at Marin Street, and call on the intercom or call 415-695-2134. For the first 72 hours after items are collected and stored, they can be claimed by their owners 24 hours a day. After the first 72 hours, owners can retrieve items Monday through Friday, 9 a.m. to 3 p.m. There is no fee for property storage or retrieval. Property not claimed within 90 days of the date of removal will be deemed abandoned and will be destroyed.

Please be advised that the following types of items will not be stored and may be discarded: (1) items that present an immediate threat to public health or safety (soiled, needles, infested with vermin), (2) items that are evidence of a crime or contraband, (3) trash, (4) perishable food, and (5) bulky items (i.e., furniture, mattresses, sheds, structures), except for tents and operational walkers, crutches, wheelchairs, and bicycles.



## SAN FRANCISCO PUBLIC WORKS NOTICE OF REMOVAL OF PROPERTY

Be advised that unattended personal property has been removed from this area because it was stored on City or State property in violation of California Penal Code Sections 372 and/or 647(e), and/or San Francisco Police Code Section 22.

**Date and approximate time of removal:** \_\_\_\_\_

**Location of removal:** \_\_\_\_\_

**General description of items removed:** \_\_\_\_\_

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You may retrieve your belongings at the **Public Works Operations Yard located at 2323 Cesar Chavez Street (use the Kansas Street entrance, at Marin Street)**, 415-695-2134. For the first 72 hours after items are collected, they can be claimed 24 hours a day. Afterwards, owners may retrieve their items Monday through Friday, 9 a.m. to 3 p.m. There is no fee for storage or retrieval. Although you are not required to present official I.D., you must provide a reasonably specific and detailed description of the property in order to retrieve it. Property not claimed **within 90 days** of the date of removal will be deemed abandoned and will be destroyed.





Personal Property Collection Bag and Tag Intake Form (example)

**PERSONAL PROPERTY INFORMATION**

*(please print clearly)*

Date items collected: \_\_\_\_\_

Time: \_\_\_\_\_

Number of items or bags: \_\_\_\_\_

Description of the items: \_\_\_\_\_

Location:

Street \_\_\_\_\_

*(include number of building, if it applies)*

Cross street: \_\_\_\_\_

Circle intersection corner, if it applies: N/W S/W N/E S/E

Name of owner: \_\_\_\_\_

Contact information of owner (if known): \_\_\_\_\_

SFPD officer and star #: \_\_\_\_\_

Public Works staff: \_\_\_\_\_

Public works staff supervisor name: \_\_\_\_\_

Service Request #: \_\_\_\_\_

Intake date: \_\_\_\_\_

Tag color: \_\_\_\_\_

Tag #: \_\_\_\_\_

Retrieval date \_\_\_\_\_

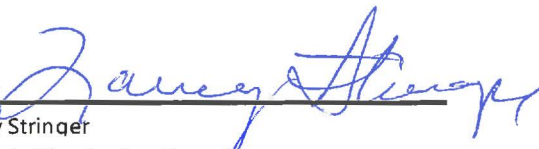
Owner's signature: \_\_\_\_\_

Disposal date \_\_\_\_\_

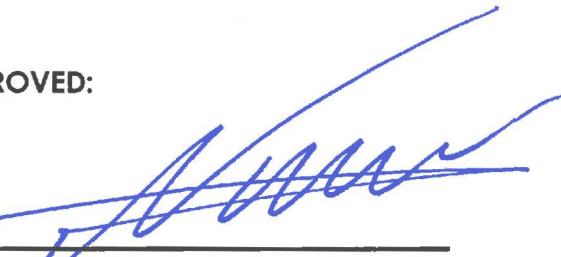
\*\*\*Distribution: white page to log book; yellow page to radio room; pink page to remain with items collected



**RECOMMENDED:**

X   
\_\_\_\_\_  
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**APPROVED:**

X   
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