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**CHAPTER 22D:  
OPEN DATA POLICY**

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- Sec.  
22D.1. Findings.
- Sec.  
22D.2. Chief Data Officer and City Departments.
- Sec.  
22D.3. Standards and Compliance.

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**SEC. 22D.1. FINDINGS.**

(a) An open data policy will provide benefits to the City, which include:

- (1) enhanced government transparency and accountability;
- (2) development of new analyses or applications based on the unique data the City provides;
- (3) mobilization of San Francisco's high-tech workforce to use City data to create useful civic tools at no cost to the City; and
- (4) creation of social and economic benefits based on innovation in how residents interact with government stemming from increased accessibility to City data sets.

(b) San Francisco has been a leader in open data policy in the United States. On October 21, 2009, Mayor Newsom issued Executive Directive 09-06, entitled Open Data ("the Directive"). The Directive stated the City's commitment to transparency in government by declaring that all appropriate data sets would be published through a designated website. The City expanded on the Directive with the enactment of the Open Data Policy (Ordinance 293-10), codified in Chapter 22D of the Administrative Code. A significant and valuable revision to the Open Data Policy came through the amendment of Chapter 22 establishing the position of Chief Data Officer, Departmental Data Coordinators, and making other procedural revisions (Ordinance No. 69-13).

(c) City departments should continue to take steps to make their data sets available to the public in a more timely and efficient manner.

(d) The City should develop a strategy for the release of City-held citizen data directly back to citizens who request such data.

(e) In enacting and implementing this Chapter, the City is assuming an undertaking only to promote the general welfare. It 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.

(Added by Ord. 293-10, File No. 101155, App. 11/18/2010; amended by Ord. [285-13](#), File No. 130787, App. 12/26/2013, Eff. 1/25/2014)

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**SEC. 22D.2. CHIEF DATA OFFICER AND CITY DEPARTMENTS.**

(a) **Chief Data Officer.** In order to coordinate implementation, compliance, and expansion of the City's Open Data Policy, the Mayor shall appoint a Chief Data Officer (CDO) for the City and County of San Francisco. The CDO shall be responsible for drafting rules and technical standards to implement the open data policy, and determining within the boundaries of law which data sets are appropriate for public disclosure. In making this determination, the CDO shall balance the benefits of open data set forth in Section 22D.1, with the need to protect from disclosure information that is proprietary or confidential and that may be protected from disclosure in accordance with law. Nothing in the rules and technical standards shall compel or authorize the disclosure of privileged information, law enforcement information, national security information, personal information, unless required by law. Nothing in the rules or technical standards shall compel or authorize the disclosure of information which is prohibited by law.

(b) The CDO's duties shall include, but are not limited to the following:

(1) Draft rules and technical standards to implement the open data policy ensuring the policy incorporates the following principles:

(A) Data prioritized for publication should be of likely interest to the public;

(B) Data sets should be free of charge to the public through the web portal;

(C) Data sets shall not include privileged or confidential information, law enforcement information, national security information, personal information, proprietary information or information the disclosure of which is prohibited by law; and

(D) Data sets shall include, to the extent possible, metadata descriptions, API documentation, and the description of licensing requirements. Common core metadata shall, at a minimum, include fields for every dataset's title, description, tags, last update, publisher, contact information, unique identifier, and public access level as defined by the CDO.

(2) Coordinate, maintain, and update the City's Open Data website, currently known as "DataSF";

(3) Present the Open Data rules and technical standards to the Committee on Information Technology (COIT) for adoption;

(4) Provide education and analytic tools for City departments to improve and assist with the release of open data to the public;

(5) Assist departments by collecting and reviewing each department's open data implementation plans and creating a template for the departmental quarterly progress reports;

(6) Present an annual citywide implementation plan to COIT, the Mayor, and Board of Supervisors and respond, as necessary, to inquiries regarding the implementation of the open data policy and the compliance of departments with the deadlines established in this section.

(7) Help establish data standards within and outside the City through collaboration with external organizations;

(8) Assist City departments with analysis of City data sets to improve decision making;

(9) Establish a process for providing citizens with secure access to their private data held by the City;

(10) Establish guidelines for licensing open data sets released by the City and evaluate the merits and feasibility of making City data sets available pursuant to a generic license, such as those offered by "Creative Commons." Such a license could grant any user the right to copy, distribute, display and create derivative works at no cost and with a minimum level of conditions placed on the use; and,

(11) Prior to issuing universally significant and substantial changes to rules and standards, solicit comments from the public, including from individuals and firms who have successfully developed applications using open data sets.

(c) **City Departments.** Each City department, board, commission, and agency ("Department") shall:

(1) Make reasonable efforts to make publicly available all data sets under the Department's control, provided however, that such disclosure shall be consistent with the rules and technical standards drafted by the CDO and adopted by COIT and with applicable law, including laws related to privacy;

(2) Review department data sets for potential inclusion on DataSF and ensure they comply with the rules and technical standards adopted by COIT;

(3) Designate a Data Coordinator (DC) no later than three months after the effective date of Ordinance No. [285-13](#), who will oversee implementation and compliance with the Open Data Policy within his/her respective department. Each DC shall work with the CDO to implement the City's open data policies and standards. The DC shall prepare an Open Data plan for the Department which shall include:

(A) A timeline for the publication of the Department's open data and a summary of open data efforts planned and/or underway in the Department;

(B) A summary description of all data sets under the control of each Department (including data contained in already-operating information technology systems);

(C) All public data sets proposed for inclusion on DataSF;

(D) Quarterly updates of data sets available for publication.

(4) The DC's duties shall include, but are not limited to the following:

(A) No later than six months after the effective date of Ordinance No. [285-13](#), publish on DataSF, a catalogue of the Department's data that can be made public, including both raw data sets and application programming interfaces (API's).

(B) Appear before COIT and respond to questions regarding the Department's compliance with the City's Open Data policies and standards;

(C) Conspicuously display his/her contact information (including name, phone number or email address) on DataSF with his/her department's data sets;

(D) Monitor comments and public feedback on the Department's data sets on a timely basis and provide a prompt response;

(E) Notify the Department of Technology upon publication of any updates or corrective action;

(F) Work with the CDO to provide citizens with secure access to their own private data by outlining the types of relevant information that can be made available to individuals who request such information;

(G) Implement the privacy protection guidelines established by the CDO and hold primary responsibility for ensuring that each published data set does not include information that is private, confidential, or proprietary; and

(H) Make reasonable efforts to minimize restrictions or license-related barriers on the reuse of published open data.

(d) **Department of Technology.** The Department of Technology (DT) shall provide and manage a single Internet site (web portal) for the City's public data sets (<http://data.sfgov.org> or successor site), called "DataSF." In managing the site, DT shall:

(1) Publish data sets with reasonable, user-friendly registration requirements, license requirements, or restrictions that comply with the rules and technical standards drafted by the CDO and adopted by COIT;

(2) Provide mechanisms for departments to indicate data sets that have been recently updated;

(3) Include an on-line forum to solicit feedback from the public and to encourage public discussion on Open Data policies and public data set availability;

(4) Forward open data requests to the assigned DC; and,

(5) Take measures to ensure access to public data sets while protecting DataSF from unlawful abuse or attempts to damage or impair use of the website.

(Added by Ord. 293-10, File No. 101155, App. 11/18/2010; amended by Ord. [69-13](#), File No. 121017, App. 4/23/2013, Eff. 5/23/2013; Ord. [285-13](#), File No. 130787, App. 12/26/2013, Eff. 1/25/2014; Ord. [75-14](#), File No. 140226, App. 5/28/2014, Eff. 6/27/2014)

### **SEC. 22D.3. STANDARDS AND COMPLIANCE.**

(a) The CDO and COIT shall work with the Purchaser to develop contract provisions to promote Open Data policies. The provisions shall include rules for including open data requirements in applicable City contracts and standard contract provisions that promote the City's open data policies, including, where appropriate, provisions to ensure that the City retains ownership of City data and the ability to post the data on [data.sfgov.org](http://data.sfgov.org) or make it available through other means.

(b) The following Open Data Policy deadlines are measured from effective date of Ordinance No. [285-13](#):

(1) Within three months, department heads designate Department Data Coordinators to oversee implementation and compliance with the Open Data Policy within his/her respective department;

(2) Within six months, each Department shall begin conducting quarterly reviews of their progress on providing access to data sets requested by the public through the designated web portal;

(3) Within six months, each Department shall publish on DataSF a catalogue of their Department's data that can be made public, including both raw datasets and APIs; and

(4) Within one year, the CDO shall present updated citywide Open Data implementation plan to COIT, the Mayor and Board of Supervisors.

(5) The CDO may propose a modification, for adoption by COIT, of the timelines set forth in the legislation.

(Added by Ord. 293-10, File No. 101155, App. 11/18/2010; amended by Ord. [69-13](#), File No. 121017, App. 4/23/2013, Eff.

