

1

2

3

COUNCIL OF THE CITY OF PHILADELPHIA
PUBLIC HEARING AND PUBLIC MEETING
BEFORE COUNCIL COMMITTEE ON LICENSES & INSPECTIONS

4

5

6

7

8

9

BILL 000771 - Re overhanging and encroaching
trees.

10

11

Bill 000772 - Held at request of sponsor.

12

13

14

BILL 010010 - Implementing provisions of the Local
Option Small Games of Chance Act under which
licenses may be issued to eligible organizations
to conduct or operate small games of chance

15

16

17

18

19

20

21

PRESENT: COUNCILMAN RICHARD T. MARIANO, Chair
COUNCILMAN DARRELL CLARKE, Vice Chair
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN FRANK DICICCO
COUNCILWOMAN JOAN L. KRAJEWSKI
COUNCILMAN MICHAEL A. NUTTER
COUNCILMAN ANGEL L. ORTIZ

22

23

24

25

VINCENT VARALLO ASSOCIATES, INC.
Registered Professional Reporters
Eleven Penn Center, Suite 600
Philadelphia, PA 19103
(215) 561-2220

5/8/01 L&I COMMITTEE

I N D E X

	Page
Bill 000771	
O. Haigler, Jr., Administrative Affairs, L&I	5
Judith Robinson, Concerned Citizen.	12
William Day, " "	14
Leroy Ford, " "	15
Janice Dennis, " "	18
Bob King, " "	22
Earlene Green, " "	25
Mindy Maslin, Penn. Horticultural Society . .	26
Lucille Stanton, Concerned Citizen.	30
Janet Fishman, " "	39
Humberto Perez, " "	45
Joyce Martinez, " "	49
Georgianna Johnson, " "	53
John Choice, " "	54
Margaret McClain, " "	60
Helen Brown, " "	61
John Jonik, newspaper item author	63
Sarah Lewis, Concerned Citizen.	66
Bill 010010	
O. Haigler, Jr., Administrative Affairs, L&I	68

15

16

17

18

19

20

21

22

23

24

25

1 5/8/01 L&I - BILL 000771

2 P R O C E E D I N G S

3 COUNCILMAN MARIANO: The public hearing
4 for Licenses and Inspections is called to order.
5 I have myself (Councilmember Mariano), Councilman
6 Clarke, Councilman Ortiz, Councilman DiCicco,
7 Councilwoman Krajewski, and Councilwoman Blondell
8 Reynolds Brown.

9 THE CLERK: Bill No. 000771, an
10 ordinance amending Title 4 of the Philadelphia
11 Code, entitled "The Philadelphia Building and
12 Construction Occupancy Code," by adding a new
13 section PM-312.01, entitled "Overhanging or
14 Encroaching Trees" by providing for certain
15 penalties and abatement of trees that overhang or
16 encroach adjoining property, all under certain
17 terms and conditions.

18 COUNCILMAN MARIANO: Do we have anybody
19 to testify? Mr. Haigler from the Administration.

20 Oh, I'm sorry. Councilman Clarke wants
21 to make a statement before you testify.

22 COUNCILMAN CLARKE: Thank you,
23 Mr. Chairman. Thank you.

24 Mr. Chairman, this bill was originally
25 introduced as a result of several problems that we

1 5/8/01 L&I - BILL 000771

2 found out in our communities with dangerous trees
3 on abutting properties that's causing damage to
4 numerous individuals' properties throughout the
5 City of Philadelphia and particularly in my
6 Councilmatic District.

7 The original bill has some vague
8 language that apparently concerns some
9 individuals. I understand there was an article
10 written in the newspaper that didn't talk about
11 the specifics of some of the changes that needed
12 to happen. Subsequently, we will be introducing
13 amendments -- I think they have all been
14 circulated to all of the members of the committee,
15 and I think those particular amendments will
16 address, if not all, the overwhelming majority of
17 the concerns of those individuals who have both
18 sent letters and have called my office. I want to
19 make sure that they understand that we heard your
20 pleas. And we hopefully will be able to address
21 those today.

22 Thank you, Mr. Chairman.

23 COUNCILMAN MARIANO: Thank you,
24 Councilman Clarke.

25 (Applause.)

1 5/8/01 L&I - BILL 000771

2 COUNCILMAN MARIANO: Mr. Haigler, go
3 ahead.

4 MR. HAIGLER: Good day, Councilman
5 Mariano and members of the Committee. I am Otis
6 Haigler, Legislative and Regulatory Affairs
7 Manager for the Department of Licenses and
8 Inspections. Today I am here to provide testimony
9 on Bill 000771, which, if enacted, will amend
10 Title 4 of the Philadelphia Code by adding a new
11 section to the property maintenance code governing
12 overhanging and encroaching trees.

13 After a careful review of the
14 amendments to Bill 000771, which has been offered
15 by the Law Department, the Department of Licenses
16 and Inspections offers no objections to this bill
17 with the submitted Law Department amendments.

18 Thank you. I will be happy to answer
19 any questions you have at this time.

20 In addition, I just wanted to offer one
21 suggested amendment to the Councilman -- we had
22 talked about this earlier -- related to the
23 penalties section, where it talks about -- I
24 believe it's on the last page of the proposed
25 amendments, where, at the top, under PM 312.4.2

1 5/8/01 L&I - BILL 000771

2 under "penalty" the penalty for a violation of
3 any provision under this section shall be a fine
4 of not less than \$100, no more than \$300.

5 I would just add a suggestion to the
6 Councilman that that last part of that be amended
7 because it's inconsistent with what's already in
8 our administrative code. The penalty should be
9 150 to \$300. So I would just ask that that
10 section be amended to reflect what's consistent
11 with what we already have in the administrative
12 code. So I would just say that it should be in
13 accordance with Section A 601 of the
14 administrative code.

15 COUNCILMAN MARIANO: Thank you. We'll
16 take that into consideration, Mr. Haigler.

17 Anything else on this bill?

18 MR. HAIGLER: And also, the Managing
19 Director wanted me to mention that this only
20 covers trees within the property line of the
21 property. Anything that's still at the curb or
22 curbline, that's still an issue that's for another
23 department; that's not an issue for Licenses and
24 Inspections.

25 COUNCILMAN ORTIZ: What about

1 5/8/01 L&I - BILL 000771

2 overhanging to another backyard?

3 MR. HAIGLER: That's within the
4 property line. And also, the amendments clearly
5 delineate and make clear that the tree would have
6 to cause some sort of harm or damage to that
7 person's property. It's not just a branch that
8 hangs over somebody's fence that you probably
9 could cut back yourself, but the tree would have
10 to definitely cause some sort of harm or concern
11 to somebody else's property.

12 COUNCILMAN MARIANO: It's not just an
13 excuse if Councilman DiCicco was my neighbor and I
14 don't like his olive tree, I just can't get rid of
15 it, it has to cause my property harm.

16 MR. HAIGLER: Right, right, exactly.

17 COUNCILMAN MARIANO: That's what we
18 thought.

19 MR. HAIGLER: And that's also with the
20 Law Department's explanation as to the amendments.

21 COUNCILMAN MARIANO: Okay. Any other
22 questions, Darrell? Councilman Clarke?

23 COUNCILMAN CLARKE: Yeah, thank you,
24 Mr. Chairman.

25 Good morning, Mr. Haigler.

1 5/8/01 L&I - BILL 000771

2 MR. HAIGLER: Good morning.

3 COUNCILMAN CLARKE: Mr. Haigler, there
4 were some questions with respects to the
5 determination of a dangerous tree. Can you kind
6 of elaborate as to, you know, who first of all
7 would make that judgment call? And secondly, what
8 specifically would be determined to be a dangerous
9 tree, a dangerous overhanging tree?

10 MR. HAIGLER: Okay, I'll try the best I
11 can on that one.

12 A dangerous tree is a tree that, you
13 know, will fall, will cause harm, is a public
14 safety hazard, it could injure somebody, it's a
15 dead tree. Trees such as that we've been
16 inspecting for presently now anyway. If a tree is
17 a dead tree and it's likely to cause damage to
18 either property or injure someone, we would at
19 this present time send our inspectors out from our
20 contracted services unit to inspect for that.

21 And if it's found and made the
22 determination that that tree in fact is a
23 dangerous condition, we cite the property owner to
24 remove that tree, an imminently dangerous tree.
25 If the property owner does not act within a

1 5/8/01 L&I - BILL 000771

2 prescribed time period, then it's incumbent upon
3 us to take action on that.

4 And that's presently, you know, our
5 policy now. This pretty much codifies what we
6 presently are doing.

7 COUNCILMAN CLARKE: Thank you.

8 Thank you, Mr. Chair.

9 COUNCILMAN MARIANO: Any questions?
10 Councilman DiCicco.

11 COUNCILMAN DICICCO: Thank you,
12 Mr. Chairman.

13 Good morning, Mr. Haigler.

14 MR. HAIGLER: Good morning.

15 COUNCILMAN DICICCO: What is the
16 position the City takes when a tree is in an
17 alleyway? Is that public property, do we consider
18 it -- I know the term "within the property line,"
19 but sometimes the property line may end at the
20 fence, and literally within a eighth of an inch of
21 that property line is where the tree is growing.
22 It may actually have started on the property line
23 side but the way the root system goes, it winds up
24 in the alley.

25 What do we do in a case like that?

1 5/8/01 L&I - BILL 000771

2 MR. HAIGLER: That's a very good
3 question. But if you look under the charter,
4 under the Streets Department's responsibility,
5 they're responsible for alleyways. That's not an
6 L&I responsibility; the Streets Department, under
7 the charter, delineates what your responsibilities
8 are, what L&I responsibilities are. All the
9 departments are delineated as to what their
10 responsibilities are, and the Streets Department
11 is responsible for public ways and alleyways.
12 That's not an L&I issue.

13 COUNCILMAN DICICCO: So if the tree
14 that is growing in an alley directly behind my
15 property is interfering or causing the possibility
16 of creating some damage to my property, then in
17 that event, the Streets Department would be the
18 appropriate party?

19 MR. HAIGLER: I would suggest you might
20 call them.

21 COUNCILMAN DICICCO: I'm sure they're
22 going to want to hear this, but anyway --

23 MR. HAIGLER: I know that, but then,
24 again, we have nobody to cite if it's in the
25 alleyway.

1 5/8/01 L&I - BILL 000771

2 COUNCILMAN DICICCO: Yeah.

3 MR. HAIGLER: And there's nobody to
4 prosecute. Who do we prosecute.

5 COUNCILMAN DICICCO: I mean, the
6 appropriate thing would be, when it's a little
7 twig about this big, to pull it out, but everybody
8 keeps watching it, and I think, you know, they
9 keep looking at it and saying, Gee, when's
10 somebody going to remove it, and then all of a
11 sudden, it's 20 feet high. I mean, the property
12 owner, I think, should have some responsibility to
13 remove it before it grows to any substantial
14 height.

15 MR. HAIGLER: Again, I'm sure I will
16 get disagreement on that also but, again, I go by
17 what's in the City Charter that says what your
18 responsibilities are and what you're responsible
19 for.

20 COUNCILMAN DICICCO: Okay, very good.
21 Thank you.

22 COUNCILMAN MARIANO: Thank you,
23 Councilman.

24 Any other questions for this witness
25 from members of the committee?

1 5/8/01 L&I - BILL 000771

2 (No questions.)

3 COUNCILMAN MARIANO: Seeing none, thank
4 you, Mr. Haigler.

5 We're going to bring up, like, four
6 witnesses at a time: Judith Robinson, William
7 Day, Leroy Ford, and Janice Dennis, please
8 approach the stand and grab chairs from the corner
9 and pull them up.

10 (Witnesses come forward.)

11 COUNCILMAN MARIANO: And Judith will be
12 first since she called first. Are you Judith?

13 MS. ROBINSON: Yes, I am.

14 COUNCILMAN MARIANO: You called first
15 so you'll testify first.

16 MS. ROBINSON: Okay.

17 COUNCILMAN MARIANO: Thank you.

18 MS. ROBINSON: Good morning. My name
19 is Judith Robinson. Thank you for the opportunity
20 to speak today regarding Bill No. 000771.

21 As I have looked over the bill, it's an
22 excellent bill because encroaching trees
23 definitely are a concern in the 5th district and
24 all over the City.

25 One area that concerned me, though, was

1 5/8/01 L&I - BILL 000771

2 about the enforcement of it, because a lot of
3 these bills are on the books already and are not
4 enforced, and I think that is the problem.

5 At some point after 30 days if a
6 property owner does not trim a tree or remove a
7 tree if it's harmful, then it is an abatement
8 process. I would just like to respectfully
9 suggest that in a lot of cases, you might have to
10 move quickly towards abatement, as a lot of the
11 properties are vacant where these trees are
12 encroaching others, or they're City-owned
13 properties or PHA. So I would suggest that some
14 of the funds that are being cited for demolition
15 might be spread around so that you can do some
16 abatements on some of these other areas, as these
17 other areas are also affecting quality-of-life
18 issues in our community.

19 So just as a suggestion, I would like
20 to see more information about enforcement of this
21 and then abatement, because a lot of the
22 properties are vacant where these encroaching
23 trees are. But overall, I think it's a excellent
24 bill and I thank you very, very much for putting
25 it across.

1 5/8/01 L&I - BILL 000771

2 I would just like to digress for a
3 minute because a lot of times we have hearings and
4 then we don't have a follow-up. And I do have a
5 letter from February the 15th that this committee
6 submitted to the Mayor, and I just would like to
7 know if there was ever a response from the Mayor
8 on this because it also talks about these
9 quality-of-life issues, and I think if the Mayor
10 and everybody is all on the same page about how we
11 should address these issues, then I think we could
12 really move forward as it relates to transforming
13 our city. So if I could please put this in the
14 record and see if I could get a response as to
15 whether the Mayor did respond to it.

16 But overall, I think this is a great
17 bill and I hope we can enforce it and actually
18 remove some of these trees.

19 Thank you.

20 COUNCILMAN MARIANO: Thank you, ma'am.

21 Mr. Day, you're up.

22 MR. DAY: Good morning. I'm here to
23 support this bill because of the fact that they
24 have you going around in a circle when you report
25 these things. If you report 'em to one

1 5/8/01 L&I - BILL 000771

2 department, they'll tell you to call the electric
3 company. You call the electric company, and
4 they'll refer you to someone else. And it's a
5 ongoing thing backwards and forwards the whole
6 year long. But, now, if the bill is passed, we
7 should get some kind of specific answers from
8 these people when we report these things.

9 So I just like to say I'm all for the
10 bill. Thank you.

11 COUNCILMAN MARIANO: Thank you,
12 Mr. Day.

13 Any questions for this witness?

14 (No questions.)

15 COUNCILMAN MARIANO: None?

16 Mr. Ford?

17 MR. FORD: Good morning, sir.

18 COUNCILMAN MARIANO: Good morning.

19 MR. FORD: And good morning to the
20 board.

21 I'm here this morning because I
22 received a letter --

23 COUNCILMAN DICICCO: Mr. Ford, could
24 you bring microphone a little bit closer to you.

25 MR. FORD: I'm here this morning 'cause

1 5/8/01 L&I - BILL 000771

2 I got a letter from Darrell Clarke that a bill
3 passed that they was going to move the trees.
4 Now, the tree that I have in my -- not in my
5 backyard but in the next-door yard is already
6 extending over into my yard. And they came out
7 and they cut some of the branches off and they
8 were supposed to come back and finish it up, but
9 that was in 1999, and I haven't seen anybody back
10 out there since.

11 And I'd like to know when they're going
12 to come back and finish the job that they done to
13 the tree. Could I get any information about
14 that?

15 COUNCILMAN MARIANO: Mr. Ford, when you
16 say they came about, would that be the City, some
17 City agency or --

18 MR. FORD: I guess they were the City.
19 There was about -- oh, about seven or eight of 'em
20 that came out.

21 COUNCILMAN MARIANO: Okay.

22 MR. FORD: And they chopped the tree
23 all down up at the top. See, the tree had fell on
24 my roof and damaged my roof and I had to put a new
25 roof on and it fell on the little shed in the

1 5/8/01 L&I - BILL 000771

2 backyard and then damaged that. So they come and
3 they fixed it. They cut all the big leaves off
4 but they left -- the tree is still extending over
5 to my house.

6 COUNCILMAN MARIANO: And now it's
7 growing again and the same thing, right?

8 MR. FORD: So I'd like to know if --
9 it's in the alley (inaudible). And they said they
10 had to get a crane to come back and take it out,
11 but I haven't seen 'em since. So I'd like to know
12 -- that's what I want to come out here and -- the
13 reason I haven't been back before is because my
14 wife got sick and -- or she had passed away now
15 and I have time out, so I'll be back here a whole
16 lot of times to see what's going to happen and
17 what's going to be done.

18 Thank you for your time.

19 COUNCILMAN MARIANO: Thank you,
20 Mr. Ford.

21 Councilman Clarke?

22 COUNCILMAN CLARKE: Fortunately, we
23 have a representative from Licenses and
24 Inspections here today.

25 MR. HAIGLER: It's in the alley.

1 5/8/01 L&I - BILL 000771

2 COUNCILMAN CLARKE: It's in the alley?

3 Oh, so we have to call the Streets Department.

4 Mr. Ford, before you leave today, just
5 drop a note off if my office and I'll check on it
6 now that we now know that the Streets Department
7 is responsible for the trees in the alley.

8 COUNCILMAN MARIANO: The next bill will
9 be for that.

10 COUNCILMAN CLARKE: And we'll contact
11 Commissioner Johnson.

12 COUNCILMAN MARIANO: Thank you.

13 Thank you for that enlightenment,
14 Mr. Ford.

15 MR. FORD: Thank you.

16 Miss Dennis.

17 MS. DENNIS: Good morning, everyone. I
18 also have a problem with a tree that's next door
19 in my neighbor's yard, which is overhanging my
20 house, and plus she also have a tree growing
21 inside her basement, right, and the roots is
22 coming up in our house, in the basement and in my
23 backyard. And nobody seems to do anything about
24 it.

25 COUNCILMAN MARIANO: Now, this bill

1 5/8/01 L&I - BILL 000771

2 would apply directly to your problem.

3 MS. DENNIS: Okay.

4 COUNCILMAN MARIANO: But not

5 Mr. Ford's. We got to get to the Streets

6 Department for that 'cause Mr. Haigler enlightened

7 us on that information today.

8 Thank you.

9 MS. DENNIS: Okay.

10 COUNCILMAN MARIANO: Work with

11 Councilman Clarke on -- are you in his district?

12 MS. DENNIS: Hmm?

13 COUNCILMAN MARIANO: Where do you live

14 at?

15 MS. DENNIS: On (inaudible) Street in

16 North Philly.

17 COUNCILMAN MARIANO: Councilman

18 Clarke? He's my cousin, he'll work with you.

19 COUNCILMAN CLARKE: Right.

20 MS. DENNIS: All right, thank you.

21 COUNCILMAN MARIANO: The next group of

22 witnesses: Sylvester Woody, Bob King and Leroy

23 Johnson. And Earlene Green, you can come up too,

24 Earlene.

25 (Witnesses come forward.)

1 5/8/01 L&I - BILL 000771

2 COUNCILMAN MARIANO: Mr. Woody, you can
3 go first, please, sir.

4 MR. WOODY: Yes. Good afternoon to all
5 of the Councilpeople, I'm glad that I have been
6 able to get you all face-to-face. You all just
7 about all should know my name, Sylvester Woody,
8 because I done called just about every office
9 about a major tree that we has that covers
10 approximately seven houses in the back and it has
11 did a lot of damages to several properties.

12 And I have called from the Fairmount
13 Park, I have called Licenses and Inspections, they
14 have sent people out and took a look after the
15 tree. And this been going on for over 25 years,
16 and I haven't been able to do anything about it.

17 I have one of my neighbors here with
18 me, which tree is as of right now is on the roof
19 into they basement. And this tree covers, as I
20 have just said, approximately seven houses and as
21 of now is died and it could come down at any
22 time. If it come down, I'm pretty sure that tree
23 would do damage to just every house between Berks
24 Street and Monument Street.

25 So that's what I'm really here to

1 5/8/01 L&I - BILL 000771

2 testify to see if we can get anything did to that
3 tree. I done did everything that I know to get
4 that tree removed, but I haven't been able to do
5 it.

6 Now, this is my neighbor, which the
7 tree is going into they -- headed into they
8 basement. And I don't know if she would have to
9 have anything to say, but I asked her to come
10 along anyway just in case I was pushed into a
11 corner where I needed someone to back up what I
12 was saying.

13 Thank you.

14 COUNCILMAN MARIANO: This tree is not
15 in an alleyway; it's in all of your yards, is that
16 correct?

17 UNIDENTIFIABLE WITNESS: Excuse me. My
18 name is Sylvia (inaudible). Mr. Woody's at 1912
19 North minority 32nd and I'm 1910. The tree,
20 originally the majority of it is in the yard of
21 1908, which the house is vacant now. It tore up
22 the cement in our back and we had to have it
23 re-cemented, but the tree is now dead. We noticed
24 it's not even, you know, it's breaking off.

25 But it's huge because the branches

1 5/8/01 L&I - BILL 000771

2 extend -- we're between Berks and Monument. It
3 goes out to Monument and all the way down to
4 Berks, so it's a dead tree, but it's huge. And I
5 don't know, you know, what damage -- you know, the
6 people who originally lived there were supposed to
7 have it removed, but they didn't, so now we're
8 stuck with it.

9 COUNCILMAN MARIANO: And this is a
10 prime example of what this bill would rectify,
11 Mr. Haigler, correct? You can't push this one on
12 the Streets Department, this one is -- you'll cut
13 that down this afternoon?

14 MR. HAIGLER: I can't.

15 COUNCILMAN MARIANO: You have your
16 saw. Just teasing, Mr. Haigler.

17 I guarantee Mr. Haigler won't be taking
18 it down personally, but can you get that address
19 from these fine people before you leave.

20 MR. HAIGLER: Yes..

21 COUNCILMAN MARIANO: Thank you, thank
22 you.

23 Mr. King?

24 MR. KING: Thank you very much. Well,
25 I'm a committeeman from the (inaudible). The

1 5/8/01 L&I - BILL 000771

2 biggest complaint in our area about these trees
3 hanging is most of it is empty houses, right, and
4 the trees is growing from empty houses over to --

5 COUNCILMAN DICICCO: Mr. King, could
6 you speak into the microphone.

7 MR. KING: Yes. All right, these empty
8 houses, right, you got trees in the backyard and
9 you got these limbs hanging over your people's
10 backyards, almost every (indiscernible). That's
11 practically every block in my division at least
12 have two trees like that. That's one of my
13 biggest complaints. I'd say out of the top
14 complaints in my division, one of the top ones is
15 trees, you know, in empty houses. So the people
16 is very concerned about that.

17 COUNCILMAN MARIANO: By what
18 everybody's testifying today, these neighborhoods
19 are about same age.

20 MR. KING: Yes.

21 COUNCILMAN MARIANO: This happens to be
22 North Philadelphia in this incident where there's
23 a couple abandoned houses or some where the trees
24 are let grow over a number of years.

25 MR. KING: What everybody else is

1 5/8/01 L&I - BILL 000771

2 saying, you basically hearing the same story from
3 me, you know, the same thing, you know. It's a
4 lot of old empty houses and trees growing up on
5 people's yards.

6 COUNCILMAN MARIANO: So as long as
7 they're in somebody's yard, even if it's
8 abandoned, L&I -- if this bill passes, L&I will be
9 able to remove that and there will be funds for
10 that. Now, next, we got to work on the ones in
11 the alleyway 'cause Mr. Haigler told us, and we're
12 checking on that, that the ones in the alleyway
13 belong to the Streets Department, and we'll work
14 that out with the Law Department.

15 MR. KING: The ones in the backyard in
16 the empty houses --

17 COUNCILMAN MARIANO: And empty houses.

18 MR. KING: That would be --

19 COUNCILMAN MARIANO: L&I.

20 MR. KING: L&I.

21 COUNCILMAN MARIANO: Mr. Haigler's over
22 there now, but we'll get that. I guess Councilman
23 Clarke's your councilman?

24 MR. KING: Yes.

25 COUNCILMAN MARIANO: He probably knows

1 5/8/01 L&I - BILL 000771

2 about it.

3 MR. KING: Yes.

4 COUNCILMAN MARIANO: Thank you. Do you
5 have anything else?

6 MR. KING: No, that's about it.

7 COUNCILMAN MARIANO: Thanks for your
8 help.

9 MR. KING: All right, thank you.

10 COUNCILMAN MARIANO: Ma'am, you're
11 Earlene Green?

12 MS. GREEN: Good morning. I would like
13 to thank all of the supporting Councilmembers for
14 introducing Bill No. 000771. I'm a committee
15 person in the 16th Ward, 11th Division, as well as
16 a block captain for the 2400 block of North 19th
17 Street, and I'm the Program Director for a human
18 service program in the City that serves families
19 in Philadelphia, and they're homeowners, and one
20 of the chief complaints that we hear from them and
21 that we assist them with is roof damage from
22 overhanging trees.

23 I could very easily just end by saying
24 that I support all of the testimony that has been
25 presented before mine, with the extreme emphasis

1 5/8/01 L&I - BILL 000771

2 on Judith's Robinson's, that the enforcement be
3 expeditious, and that where homeowners can be held
4 accountable, that they do, and that the bill be
5 moved on as quickly as possible.

6 COUNCILMAN MARIANO: Thank you, ma'am.
7 Thank you for your testimony.

8 No questions from the committee.

9 Okay, the next group of guests will
10 be: Mindy Maslin, Lucille Stanton, Janet Fishman,
11 and Humberto Perez, middle weight champion of
12 Philadelphia, Humberto Perez. Is that right,
13 Humberto? Is it middle weight or are we cruiser
14 weights now? All right, looking good, though,
15 pal.

16 (Witnesses come forward.)

17 COUNCILMAN MARIANO: Let's start with
18 Mindy.

19 MS. MASLIN: Yes.

20 COUNCILMAN MARIANO: Thank you.

21 MS. MASLIN: Good morning. Being a
22 professional tree hugger and the creator of the
23 Philadelphia Green Tree Tenders Project, I was
24 very concerned about the initial language of Bill
25 000771, entitled "Overhanging or Encroaching

1 5/8/01 L&I - BILL 000771

2 Trees." I received dozens of calls from citizens
3 alarmed that this could reverse the positive work
4 done over the past years in preserving and
5 enhancing our urban forest.

6 Needless to say, we were relieved to
7 read the amendments offered by Louis
8 (indiscernible), Assistant City Solicitor, at the
9 request of Robert Brown of the office of Darrell
10 Clarke.

11 Thank you for amending the bill to read
12 that only limbs that are likely to damage property
13 or that are dead or decayed such that a
14 significant part of it may land on someone else's
15 property should be removed. Thank you also for
16 changing the wording to read that in these cases,
17 only the offending portion of the tree would be
18 removed rather than removing the tree as a whole.

19 For the record, I'd like to take a
20 moment and remind everyone of some of the reasons
21 that we are so passionate about our urban trees.
22 There are lots of financial benefits of trees,
23 including the estimate -- including that the
24 estimated appraised value of street trees in
25 Philadelphia is over \$291 million. When trees are

1 5/8/01 L&I - BILL 000771

2 present on developed property, the sale value of
3 that property is 3 to 10 percent greater than
4 developed property without trees.

5 The yearly air pollution removal value
6 of Philadelphia's trees is over \$5,400,000.
7 Properly-located mature trees can save households
8 \$10 to \$25 yearly in summer cooling costs. And
9 then there's also many health benefits. Trees
10 reduce ozone. In 1996, a Harvard study of public
11 health recorded 3,250 hospital and emergency
12 visits in Philadelphia due to ozone levels that
13 were too high.

14 People report more positive emotions,
15 lower blood pressure, negative -- and fewer
16 negative emotions when looking at urban scenes
17 with trees than urban scenes without.

18 Outdoor urban residential spaces with
19 more trees are seen by residents as significantly
20 more attractive, safer, and more likely to be used
21 than similar spaces without trees.

22 There's many studies -- some new
23 studies out of Chicago that show that domestic
24 violence is reduced in areas that have urban
25 trees. People tend to spend more time out on

1 5/8/01 L&I - BILL 000771

2 their stoop, meeting their neighbors, developing
3 better relations in their communities, and having
4 outlets for negative emotions so that they don't
5 keep them bottled up inside.

6 So thank you for changing this bill so
7 that it doesn't mean the removal of thousands of
8 trees in Philadelphia, and we hope that they're
9 all included.

10 COUNCILMAN MARIANO: Miss Maslin, I
11 just wanted you to know, as Councilpeople, we also
12 love trees. Councilman Nutter has a special
13 relationship with a couple of trees in his
14 district, but we won't talk about that.

15 COUNCILMAN NUTTER: Thank you so much.

16 COUNCILMAN MARIANO: He was concerned.
17 He came over and he said, the trees I -- you know,
18 we're not getting rid of all trees, I just want
19 you to know. But you see the problem that some of
20 the previous people have testified.

21 MS. MASLIN: Exactly.

22 COUNCILMAN MARIANO: Some of these
23 trees have long -- I mean, they'd probably be
24 great trees to be in a park somewhere, but they've
25 outgrown their usage, some of them were dead in

1 5/8/01 L&I - BILL 000771

2 some of these neighborhoods, and it's a really big
3 thing on their quality of life to 'cause when they
4 fall, so we're not -- we appreciate it. Thanks.

5 MS. MASLIN: Yeah, and the amendments
6 address that.

7 COUNCILMAN MARIANO: Yeah, thanks.

8 MS. MASLIN: So thank you very much.

9 COUNCILMAN MARIANO: Thank you, thanks
10 for your input.

11 MS. MASLIN: And I indeed have seen
12 Councilman Nutter hugging trees.

13 COUNCILMAN MARIANO: He spends a lot of
14 time in that park. Thank you, ma'am .

15 MS. MASLIN: Thank you.

16 COUNCILMAN MARIANO: Next testifying is
17 Lucille Stanton.

18 MS. STANTON: I'm Lucille Stanton and
19 I'm right here to testify about the bill, 00771.

20 COUNCILMAN MARIANO: Lucille, right to
21 the microphone. It's a very bad, bad system.

22 MS. STANTON: Can you understand me
23 now? Okay, then.

24 It's a tree that's sitting in my back
25 -- it's not in my yard, it's next door to me and

1 5/8/01 L&I - BILL 000771

2 it's leaning over on my roof.

3 COUNCILMAN MARIANO: Is that house
4 abandoned?

5 MS. STANTON: No, no, someone's living
6 there.

7 COUNCILMAN MARIANO: Okay.

8 MS. STANTON: And it's leaning over on
9 my roof. And she tried to cut it down but it
10 still don't do no good. And now it's really into
11 my window and it's coming into my roof, destroying
12 my roof.

13 And then I have another one that's
14 2203, which is a abandoned house, and the people
15 that have the house next door, it's rooting up to
16 the windows. And that tree is coming up through
17 the house and he's doing damage to the next-door
18 house property.

19 And I would like for someone to come
20 out there to see about them trees out there.

21 COUNCILMAN MARIANO: Miss Stanton, if
22 you'll let me -- Mr. Haigler, could you approach
23 the bench. This is a good question. Could we
24 just get back on there. You know, we're not going
25 to jackpot you.

1 5/8/01 L&I - BILL 000771

2 (Mr. Haigler returns to witness table.)

3 COUNCILMAN MARIANO: She has one that's
4 -- she actually has a neighbor, and it's not in
5 an abandoned house.

6 MR. HAIGLER: Say that again?

7 COUNCILMAN MARIANO: She has a tree
8 next to her and the neighbor's living there, and
9 for whatever reason, the neighbor can't afford to
10 remove it or whatever it is, she cut some limbs.
11 But if there's someone living in the house and you
12 get a complaint, what do you do in that case?
13 It's still in the yard but it's not an abandoned
14 house. So L&I is still responsible. What do you
15 do to --

16 MR. HAIGLER: No, I need to correct you
17 that.

18 COUNCILMAN MARIANO: L&I's not
19 responsible?

20 MR. HAIGLER: L&I will issue the
21 citation but the ultimate responsibility for any
22 property is the property owner. The property
23 owner is responsible for the maintenance and
24 upkeep of their property. L&I will enforce
25 property maintenance laws against the property

1 5/8/01 L&I - BILL 000771

2 owner but it's the property owner's responsibility
3 ultimately to take care of and maintain the
4 property.

5 COUNCILMAN MARIANO: Let's set a
6 scenario where the property owner can't for
7 whatever reason; what happens then? You just go
8 around and -- I mean, L&I writes a citation.

9 MR. HAIGLER: We write the citation.

10 COUNCILMAN MARIANO: But she's still
11 living with that tree. What happens?

12 MR. HAIGLER: We write a citation
13 against the property owner to remove that tree.
14 We will try our best to get the property owner to
15 do that. We still have to follow prescribed
16 enforcement procedures; we just can't take
17 over --

18 COUNCILMAN MARIANO: Can you explain to
19 us what that is.

20 MR. HAIGLER: The responsibility of
21 somebody else's property automatically.

22 COUNCILMAN MARIANO: What is that
23 procedure?

24 MR. HAIGLER: The procedure, as is
25 outlined under the bill, is that first, we cite

1 5/8/01 L&I - BILL 000771

2 the property owner with a normal violation notice,
3 giving them 30 days to correct the violation.
4 After the 30-day time period, we also have written
5 in the proposed amendments that we will issue
6 tickets at a minimum of \$50 per day against the
7 property owner to try to get that person to --

8 COUNCILMAN MARIANO: Okay, if they
9 don't pay the ticket, what happens?

10 MR. HAIGLER: -- to take care of the
11 problem.

12 Now, again, if the problem is a
13 situation where it's causing damage or it is a
14 situation where the tree is a public-safety
15 threat, a public-safety hazard, then we have
16 abatement proceedings, abatement issues that we
17 can abate that condition because it does cause a
18 threat to public safety and health. That's
19 presently under the code that we currently have to
20 enforce now.

21 COUNCILMAN MARIANO: Could you explain
22 that to us that aren't sophisticated to use them
23 big words like "abatement"? What happens there?

24 MR. HAIGLER: If it's a situation
25 where --

1 5/8/01 L&I - BILL 000771

2 COUNCILMAN MARIANO: 'Cause she still
3 has that tree next to her house, now we're into
4 month three or four, and it's ready to fall on her
5 house. I'm just playing devil's advocate here,
6 but that's what comes with this stuff. You know,
7 for whatever reason, the neighbor can't remove it,
8 do you actually come out, eventually remove that
9 tree, and charge the homeowner?

10 MR. HAIGLER: If the tree is dead or is
11 dying or it will topple over and cause damage to
12 property or safety, yes. On average, the City--
13 and I have a cost estimate on average now. For
14 the average homeowner, it probably won't cost them
15 this much to remove a tree, but on average for the
16 City, it costs about \$1500 to remove a tree.

17 COUNCILMAN MARIANO: So what do you
18 think it will cost the homeowner?

19 MR. HAIGLER: So if it gets to that
20 point where we have to actually do this, then we
21 will do this and we will lien the property and
22 assess whatever administrative costs there are
23 against the property owner.

24 COUNCILMAN MARIANO: Mr. Haigler, what
25 does it cost the homeowner, like \$500, depending

1 5/8/01 L&I - BILL 000771

2 on the size of the tree?

3 MR. HAIGLER: It could vary, depending
4 on the contract. I had a tree removed from my
5 house last year, and it only cost me somewhere
6 around \$300, a little bit more than \$300 to remove
7 the tree as well as the stump. So it all depends
8 on who you contract with.

9 COUNCILMAN MARIANO: And the million
10 dollar question is, the reason it costs the City
11 so much is because of our procedures and
12 procurement.

13 MR. HAIGLER: Because there are other
14 costs that are involved in things that go out on
15 the bid process, there are contracts. These
16 things -- I don't know all of the nuances of these
17 things.

18 COUNCILMAN MARIANO: Sure.

19 MR. HAIGLER: But that could possibly
20 be very well the case.

21 COUNCILMAN MARIANO: Councilman
22 DiCicco?

23 COUNCILMAN DICICCO: But, Mr. Haigler,
24 I could understand the price of removing a tree
25 can vary from contractor to contractor, but I also

1 5/8/01 L&I - BILL 000771

2 think that the other issue can be -- is in the
3 location of the tree. Some trees are more
4 accessible to get to.

5 MR. HAIGLER: That's correct.

6 COUNCILMAN DICICCO: I had a similar
7 problem with a property I owned and the neighbor
8 next door -- it was well -- in a South
9 Philadelphia rowhouse, I think, at the time, maybe
10 seven eight, years ago. It was about \$600 to
11 remove because there was no alley.

12 MR. HAIGLER: That's correct.

13 COUNCILMAN DICICCO: And they literally
14 had to come in and dismantle this tree branch by
15 branch and carry it out through the house. I
16 mean, that's how bad it was. So, I mean, that
17 drives the cost up.

18 COUNCILMAN MARIANO: Expensive.

19 COUNCILMAN DICICCO: I just don't want
20 anybody leaving hear thinking that everybody can
21 get a tree removed for \$300.

22 MR. HAIGLER: It depends, that's
23 correct, that's absolutely correct.

24 COUNCILMAN DICICCO: There are some
25 trees that can cost you a thousand or several

1 5/8/01 L&I - BILL 000771

2 thousands to remove, depending on the size.

3 MR. HAIGLER: It depends on the size of
4 the tree, the type of the tree.

5 COUNCILMAN DICICCO: Yep. Thank you.

6 COUNCILMAN MARIANO: Thank you,
7 Councilman.

8 Councilman Clarke?

9 COUNCILMAN CLARKE: Yeah, thank you,
10 Mr. Chairman.

11 There had actually been a companion
12 bill to this bill that capped the amount that
13 would be able to be liened by the City of
14 Philadelphia, and I'm holding that bill so we can
15 determine with the Administration what the
16 ultimate cost of these potential tree removal will
17 be. We will be discussing that and hopefully
18 having a hearing on that at a later date.

19 But until we can get a sense of what
20 that cost should be, we're going to hold that
21 companion bill.

22 COUNCILMAN MARIANO: Thank you,
23 Councilman.

24 Thank you, Mr. Haigler. Thanks for
25 answering that.

1 5/8/01 L&I - BILL 000771

2 Janet Fishman.

3 MS. FISHMAN: Good morning. I am also
4 one of the persons who read the newspaper article
5 and got frightened. I -- certainly listening to
6 the other witnesses, I'm sensitive to the problems
7 that trees can cause property, but I also feel
8 that lack of trees is also a damage.

9 I live on 51st Street between Walton
10 and (indiscernible) -- I believe that's
11 Councilperson Blackwell's district. And all of
12 the trees were cut down on our block before we
13 moved --

14 COUNCILMAN MARIANO: And I have to
15 correct you. She's not a District Councilwoman,
16 so it's not her district. Oh, Blackwell. I
17 thought you said -- you looked at Blondell and
18 meant Blondell Reynolds Brown.

19 MS. FISHMAN: No, no.

20 COUNCILMAN MARIANO: Oh, Blackwell,
21 okay. I'm sorry.

22 MS. FISHMAN: Yeah. And all of those
23 trees were cut down before we moved there because,
24 apparently, the roots damage pipes is what I was
25 told. From other sources, I found out that it's

1 5/8/01 L&I - BILL 000771

2 only when the pipe's already broken that that's
3 the case.

4 Anyway, now we have no trees on that
5 street, so I really appreciate the amendments, the
6 30-day space, and also the amendment that only
7 trees that are causing damage need to be cut
8 down. And also that -- this is my main concern,
9 that if a tree is overhanging and it's causing
10 damage, the easy thing is to just cut it down.

11 Is there anything in the amendment or
12 in the bill that could be added that would
13 encourage people to have the tree pruned rather
14 than cutting it? Because once it's cut, that's
15 that.

16 COUNCILMAN MARIANO: I think that's in
17 there. Can anybody answer that?

18 COUNCILMAN DICICCO: I believe that the
19 intent of the bill -- and the sponsor can answer
20 -- is not to necessarily have every tree removed
21 because the adjacent neighbor is not in favor of
22 the tree. I think that the object is if you would
23 trim the tree back so it's not encroaching on your
24 neighbor's property, I think, then the neighbor
25 has no legitimate argument, unless the root system

1 5/8/01 L&I - BILL 000771

2 is causing damage to his or her property, the
3 adjacent property.

4 MS. FISHMAN: Mm-hmm.

5 COUNCILMAN DICICCO: I don't think this
6 bill is intended to remove trees in Philadelphia.

7 COUNCILMAN MARIANO: Councilman Clarke?

8 COUNCILMAN CLARKE: No, the original
9 language was admittedly rather vague, and that's
10 why in the amendments we speak specifically of the
11 portion of the tree that is creating a dangerous
12 hazard to the abutting property owner. So that is
13 the only portion that should be removed under the
14 bill.

15 MS. FISHMAN: And what happens if the
16 -- it seems like there are many situations where
17 the property owner's absent and they can't be
18 contacted and the City comes in to get rid of the
19 problem. Are they encouraged to just prune the
20 tree, or is the idea that once we cut it down,
21 then we don't have to deal with it anymore, so
22 we'll just cut it down because --

23 COUNCILMAN CLARKE: Knowing how
24 fiscally prudent the Department of L&I is, we will
25 probably just trim it to within the inch of the

1 5/8/01 L&I - BILL 000771

2 property line. I do not see us -- and you can
3 correct me if I'm wrong, Mr. Haigler.

4 MR. HAIGLER: What's that?

5 COUNCILMAN CLARKE: If the City, in
6 fact, does have to come in to a non-responsive
7 property owner, the City of Philadelphia will only
8 abate the nuisance up into that property line.

9 MR. HAIGLER: That's correct.

10 MS. FISHMAN: Okay.

11 COUNCILMAN MARIANO: Mr. Haigler likes
12 trees too. And his boss Commissioner McLaughlin,
13 likes trees too, so. . .

14 MS. FISHMAN: I have one other
15 suggestion. Would it be possible to -- if the
16 property owner would rather just get rid of the
17 tree or the person on who -- or the property owner
18 doesn't respond --

19 COUNCILMAN MARIANO: I would think if
20 it's my property, I can do whatever I want with
21 the tree. If I'm a tree hater, it probably goes
22 down. That's probably not the answer you want.

23 MS. FISHMAN: No.

24 COUNCILMAN MARIANO: But I don't think
25 we make people keep trees up on their property, as

1 5/8/01 L&I - BILL 000771

2 much as we can't make 'em take 'em down until they
3 become dangerous to the public health or, you
4 know, to the public at all.

5 MS. FISHMAN: Mm-hmm. Would it be
6 possible to have as part of this bill a mediation
7 system so that if the two neighbors can't work it
8 out, they can come in and --

9 COUNCILMAN MARIANO: I would think not,
10 but we could talk about it.

11 Councilman?

12 COUNCILMAN DICICCO: In the experience
13 I had and I spoke to a little bit earlier, the
14 property owner adjacent to the property that I
15 owned, which was an investment property at the
16 time, did not want to agree with me to have the
17 tree removed. It was causing -- the root damage
18 was causing a lot of damage to both yards.

19 And ultimately, we wound up in court,
20 and the judge made a decision that it was 50/50:
21 50 percent of the costs were related my property
22 and 50 percent of the costs were related to the
23 adjacent property owners.

24 I mean, unfortunately, if you can't
25 work it out in a neighborly way, the court is the

1 5/8/01 L&I - BILL 000771

2 last place to go to get the issue resolved. So
3 there's a process in which you can get to
4 eventually to decide that.

5 MS. FISHMAN: And that process couldn't
6 be a part of the bill?

7 COUNCILMAN DICICCO: I don't think it's
8 necessary to be in the bill. If you feel
9 aggrieved in any way because of a tree in this
10 case that may or may not be -- you allege that the
11 tree is causing damage to your property and the
12 adjacent property owner whose property the tree is
13 on feels as though it is not, eventually you're
14 going to wind up in court if you can't resolve it
15 in a neighborly way.

16 It doesn't have to be by legislation.
17 You have the right to sue and bring action against
18 the property owner.

19 MS. FISHMAN: Mm-hmm. Well, I'd like
20 to thank you for the amendments, and I do feel
21 that keeping trees in the neighborhood is a value
22 in and of itself, and anything the bill can do to
23 support that, I appreciate it.

24 COUNCILMAN CLARKE: I agree. Thank
25 you.

1 5/8/01 L&I - BILL 000771

2 COUNCILMAN MARIANO: Thank you.

3 Humberto?

4 MR. PEREZ: Good morning, Councilman.

5 COUNCILMAN MARIANO: Now, boxers like
6 trees too.

7 MR. PEREZ: Yes, we do love trees.

8 I'm here on behalf of some of the
9 residents in my area that have trees problems, and
10 I just took hold of a property that I had to
11 remove trees myself. I just couldn't wait for L&I
12 or PECO or, before it became Verizon, Bell
13 Atlantic to come and remove the trees. The trees
14 grew so much that the lines all got locked into
15 the trees and they were in the backyard. PECO
16 couldn't get to them or nobody could have gotten
17 to them. And I was just calling and calling.

18 So at that time, I said I'm not going
19 to call anymore and I went in and hired a
20 contractor. And it's not cheap. You're looking
21 at 15, \$1600 just to remove them.

22 The damage that it caused -- the leaves
23 clogged the drain, always constantly falling, and
24 I just had to always re-clean and always go rent a
25 machine to just unclog the drains, 'cause

1 5/8/01 L&I - BILL 000771

2 constantly the leaves keep falling.

3 My concern is that some of these trees
4 that are running between lines that PECO should
5 also take the responsibility and Verizon to make a
6 commitment to come and help some of the private
7 residence owner remove that problem.

8 COUNCILMAN MARIANO: Humberto, our
9 resident PECO expert is absent from this hearing
10 and I'm sure he would have something to say.
11 We'll leave his name out of this.

12 But it's been my experience that PECO
13 would rather trim the trees than have them lines
14 fall down. Once they start getting in the wires
15 -- they've been responsive, as much as I can
16 remember, to do that, sure, because it's a money
17 thing to them. It's cheaper for them to trim the
18 trees -- 'cause they have crews on contract that
19 do that -- than to knock some wires down, 'cause
20 that becomes a big deal, then they got to pay
21 people more money to come out.

22 And I'm sorry that happened. I wish we
23 could have worked that out.

24 MR. PEREZ: Also, my last question. I
25 had to remove the trees and also was neighboring

1 5/8/01 L&I - BILL 000771

2 trees and the neighbors just couldn't afford also
3 to pay some of the expense to remove the trees.
4 So it was just left on just me to remove the
5 trees.

6 Is there a way to also amend on the
7 bill that if a resident and a joint resident have
8 trees next to them, there could be an agreement
9 that both residents should hold the responsibility
10 to get this tree removed and not leave the burden
11 on just one resident.

12 COUNCILMAN MARIANO: You could do that
13 privately. I mean, every time we put something on
14 -- no good deed goes undone, you know, and every
15 time we try to do something, it just makes
16 Mr. Haigler and his department more work.

17 You know, I see what you're after but I
18 think if you and I can work something out, it
19 might be fine, but Councilman DiCicco and I may
20 not be able to. And if we can agree to do that.
21 And you know people, that's how it works out. The
22 less people that are involved, the easier it is;
23 the more involved, the more complicated.

24 MR. PEREZ: All right.

25 COUNCILMAN MARIANO: But I appreciate

1 5/8/01 L&I - BILL 000771

2 your comments and we'll talk to the prime sponsor
3 and see if he wants to do something about that,
4 okay?

5 MR. PEREZ: Okay.

6 COUNCILMAN MARIANO: Thank you.

7 COUNCILMAN ORTIZ: How about weeds that
8 grow into trees?

9 COUNCILMAN MARIANO: Okay, we're going
10 to bring up -- there's five or six more people,
11 but everybody seems to be talking about the same
12 thing. So here's who I have left: Joyce
13 Martinez, John Choice, Georgianna Johnson,
14 Margaret McClain, Helen Brown, and John Jonik.

15 If we're all going to testify to the
16 same thing, if you're going to say the same thing
17 that's been said -- if you have something
18 different, come up. You're certainly welcome to
19 talk, but for the -- if you could summarize it, it
20 would be nice. You know, we're getting -- we got
21 the point and we know what needs to be done, but
22 you're certainly welcome to --

23 MS. MARTINEZ: Yeah, but you're all
24 missing one thing.

25 COUNCILMAN MARIANO: No, go ahead,

1 5/8/01 L&I - BILL 000771

2 you're fine.

3 MS. MARTINEZ: I want to know if I
4 can --

5 COUNCILMAN MARIANO: Got to get your
6 name, ma'am.

7 MS. MARTINEZ: Joyce Martinez.

8 COUNCILMAN MARIANO: Thank you.

9 MS. MARTINEZ: Seventh and Hunting, the
10 5th District Council.

11 I want to know if I could get
12 reimbursed for having this tree cut down that's
13 the responsibility of L&I because, like this guy
14 just told this guy here, he hemmed and hawed, we
15 don't know when or whatever. "When or whatever"
16 could mean somebody's life, and when that winded
17 start blowing, the actual root from the bottom of
18 this tree begin to --

19 COUNCILMAN MARIANO: Where was the tree
20 at, ma'am? Was it in an abandoned house or in an
21 alleyway or on abandoned property?

22 MS. MARTINEZ: It was on the curb in
23 front of a house.

24 COUNCILMAN MARIANO: Oh, that's not
25 L&I, then, right? Otis? That's the property

1 5/8/01 L&I - BILL 000771

2 owner's responsibility.

3 MR. HAIGLER: If at the curblane, it
4 would be Fairmount Park.

5 COUNCILMAN MARIANO: Yeah, if it's a
6 curblane --

7 MS. MARTINEZ: See, that's what I'm
8 talking about, this drama.

9 COUNCILMAN MARIANO: It's drama,
10 obviously.

11 MS. MARTINEZ: But, I mean, some plan
12 need to be set up where people can be reimbursed
13 because he talking about issuing citations \$50,
14 \$50, \$50. And like you said before, there going
15 to be people that just can't afford it, and that
16 is true. There are people that just can't afford
17 it, opposed to making this \$50, \$50 situation,
18 which this tree eventually going to fall on this
19 lady house and which is going to end up costing
20 thousands of dollars.

21 I think a program needs to be set up
22 with the City, where they contract somebody or
23 somebody within the City that they can have a
24 program where people that have to pay to have they
25 trees cut down work with a program that's within

1 5/8/01 L&I - BILL 000771

2 the system to cut these trees, because now, once
3 this bill hit the street, the tree hustle begin,
4 okay? Like you said, you got people charging \$600
5 for a tree 'cause they claim they can't get to the
6 alley, which is true, and people making they own
7 prices on a lot of things. I have a tree in the
8 alley that if it don't get caught, firemen, me,
9 you, or nobody else going to be able to walk
10 through the alley.

11 COUNCILMAN MARIANO: That's going to be
12 the --

13 MS. MARTINEZ: Now we back to --

14 COUNCILMAN MARIANO: That's our next
15 one, the alley, the Streets Department. We just
16 found that out today.

17 MS. MARTINEZ: That's another drama,
18 you know.

19 COUNCILMAN MARIANO: Right.

20 MS. MARTINEZ: Because they know that's
21 been going on for a long time and they should have
22 been taking care of that because, although we had
23 a street cleanup and this and that, nobody is
24 really pursuing any things on the alley. At one
25 time, they used to enforce that the alleys be

1 5/8/01 L&I - BILL 000771

2 clean that people kept their alleyways clean or
3 whatever, but now it's a "don't care" attitude,
4 you know, they do or they don't. And instead of
5 sending citations out to people is not the answer,
6 because you have two homeowners in a block of 100
7 PHAs, so that's a big problem right there in
8 itself.

9 COUNCILMAN MARIANO: Well, I think
10 PHA's got to take some responsibility to removed
11 some of these trees too.

12 MS. MARTINEZ: Yeah, but we know that's
13 not happening. So, you know, that's why we need
14 to come up with some kind of plan where you
15 contract somebody in the City or -- and I can call
16 it as a homeowner and say, I need this tree
17 removed, and it's a set price or whatever, 'cause
18 I had a tree removed that cost \$1500, plus another
19 \$300 for the stump. So that's two different
20 issues when you getting a tree cut.

21 COUNCILMAN MARIANO: Thank you, ma'am.
22 Thank you for that point of view.

23 MS. MARTINEZ: So I just hope we can
24 get some kind of thing done needed.

25 COUNCILMAN MARIANO: Thank you for that

1 5/8/01 L&I - BILL 000771

2 point and we'll take that into consideration.

3 MS. MARTINEZ: All right.

4 MS. JOHNSON: My name's Georgianna
5 Johnson, and I have a question to the committee
6 and I want to say good morning.

7 COUNCILMAN CLARKE: Good morning.

8 MS. JOHNSON: I would like to know why
9 L&I and the Streets Department can't inform each
10 other of their responsibilities of these
11 overhanging trees and thereby write a report and
12 send it to -- a copy to each individual department
13 and a copy to the Councilman. I believe in the
14 paper trail. You saying that these trees need to
15 be done, but the men who come out to cut them
16 down, they don't even talk to the people that call
17 them. They just go and cut them down and they
18 don't know who's cutting them down, who did what,
19 or whatever.

20 And I think it's about time that the
21 citizens in this city start knowing who's doing
22 what. And I happen to be a person who's very
23 nosey. I'll go out and ask them, and they'll say,
24 Well, I don't know, somebody sent me here. So I
25 have a problem with that. So that is my problem.

1 5/8/01 L&I - BILL 000771

2 I don't have any trees on my block that
3 need cutting down, but I would like to know if
4 somebody could inform -- if Macy's could tell
5 Gimbel's, we would be very happy. Thank you.

6 (Laughter.)

7 COUNCILMAN MARIANO: Thank you, ma'am.
8 Thank you.

9 Sir? Who's next?

10 MR. CHOICE: Good morning, Councilman.
11 My name is John Choice and I'm from North
12 Philadelphia, the 32th Ward.

13 COUNCILMAN MARIANO: Thank you.

14 MR. CHOICE: My issue is basically,
15 they're going to prune the trees, they're going to
16 cut back to the property lines. Who's going to
17 deal with the height of these trees? In my area,
18 most of these trees are as tall as three-story
19 homes that the people are living in. When they
20 fall, they take out a lot. I've had homes take
21 out fences, second floor levels, sides of walls,
22 everything. So pruning the trees is going to be a
23 good thing but the height of the tree is going to
24 be the problem. When the weather changes, it gets
25 cold or the storms blow through the houses and the

1 5/8/01 L&I - BILL 000771

2 trees that are old and rotten are going to fall.

3 Now, if you prune it, it's fine, but
4 you only prune it to the property line. The
5 tree's not on the property, the tree's as tall as
6 a three-story house. So when it falls, it's going
7 to take out two or three homes, fences, electric
8 lines everything.

9 So, I mean, the bill's great and I
10 appreciate Councilman Clarke working on it, but my
11 issue is basically in my neighborhood, where he's
12 been around, they've looked at a number of issues
13 in the trees. The smallest tree's rounder than
14 this table. Three stories is a long ways up when
15 a tree falls, and it falls on a lot of people's
16 homes and it takes out a lot. And many of the
17 people that can't afford to have these trees cut
18 are going to be senior citizens who have been in
19 those homes, who've raised families over the years
20 and afford to be paying 15, \$1600 to help take out
21 these trees.

22 Now, L&I said they're going to prune,
23 they're going to cut so much of a line, and the
24 Streets Department's going to work with the
25 alleys. I just want to know if collectively, can

1 5/8/01 L&I - BILL 000771

2 the three departments, four departments, work
3 together to try to take out some of the height of
4 these trees when they do the pruning. And if you
5 cut 'em back on the property line, you still got
6 2, 300 feet up. Can they cut back some of the
7 height so if it does fall, it don't take out as
8 much damage that can be done?

9 COUNCILMAN MARIANO: Councilman Clarke.

10 COUNCILMAN CLARKE: Thank you,
11 Mr. Chairman. Thank you, Mr. Choice.

12 Mr. Choice, realistically, I can see
13 several reasons why I don't think we'd be in a
14 position to do that. First, you've heard from
15 testimony from individuals who are tree lovers,
16 and I think --

17 MR. CHOICE: I understand that. I
18 mean, I'm not against the tree but, you know, some
19 of them are old.

20 COUNCILMAN CLARKE: Let me ask you a
21 question. Now, I think based on the speculative
22 nature of when the tree is going to fall and where
23 it may fall, I don't think that we should have the
24 wherewithal to cut the tree off at a particular
25 height, and I just think politically, I don't

1 5/8/01 L&I - BILL 000771

2 think -- and I think practically, that's probably
3 not a good thing to do.

4 And I understand your concern 'cause I
5 have walked in your community and I see the
6 potential at some point in time where one of those
7 trees may fall, but if the tree is still living, I
8 know that we're not going to be in a position to
9 decrease the height of that particular tree.
10 Maybe somewhere down the line, after this program
11 is implemented, we can look at possibly dealing
12 with some trees that are dead and potentially
13 dangerous. But at this point, I'm just really --

14 MR. CHOICE: But I was speaking
15 basically more to the ones that are kind of old.
16 Some of the ones that are still living and
17 blooming, you know, if they trim 'em back, then
18 the wires and things will be out of the way, which
19 is fine. But you have some that are --

20 COUNCILMAN CLARKE: Yeah, that is the
21 responsibility of the property owner and, you
22 know, there will already be a cost incurred by a
23 property owner based on the implementation of this
24 bill. And I'm concerned that if we go a step
25 further, there will be an additional cost

1 5/8/01 L&I - BILL 000771

2 associated with the property owner. And I don't
3 know at this point -- and I can't speak for my
4 colleagues, but I don't know at this point if
5 government is willing to do that and create an
6 additional burden to that property owner, who, in
7 many cases, as we have just heard, may not be able
8 to pay for this particular program. So I'm a
9 little concerned about that.

10 But I do understand your problem.

11 MR. CHOICE: All right. The second
12 issue is then if you're going to trim back the
13 lines around the electric lines and what have you,
14 are they going to come out where they have the
15 open, empty lots and take out those trees, or are
16 just going to trim those too?

17 COUNCILMAN CLARKE: This bill only
18 speaks to a situation where there's a abutting
19 property owner and the tree is causing, or
20 potentially causing, damage or danger to that
21 abutting property owner. That's all this bill
22 speaks to. If there's a vacant lot and there's no
23 abutting property owner that is complaining about
24 that, this bill doesn't speak to that.

25 Now, that vacant property is owned by

1 5/8/01 L&I - BILL 000771

2 somebody. So if there is a tree on a vacant
3 property, a lot, and it is potentially creating a
4 dangerous situation for the abutting property
5 owner, it's my understanding that this bill can be
6 implemented in that particular situation.

7 COUNCILMAN MARIANO: And also, I think
8 this \$250 million for this blight program, like
9 there's a little part in it that everyone seems to
10 be ignoring. If we introduce it this week,
11 hopefully, we'll find that there's a private
12 initiative bond -- Darrell's making faces, but I'm
13 going to say it, that if that was something that
14 Councilwoman Krajewski wanted to do, she should be
15 able to do that 'cause only she knows her
16 district. If it's something that another District
17 Councilman wants to do -- you understand? It
18 might be working in his district but not in mine.
19 So if it's a City-owned lot, we should take it
20 down possibly. So if it's by some speculator
21 that's been sitting on it for 50 years, he should
22 take it down; we shouldn't pay for that.

23 MR. CHOICE: Yeah, but then you find
24 out you have a bunch of empty lots that you can't
25 find the owner.

1 5/8/01 L&I - BILL 000771

2 COUNCILMAN MARIANO: Somebody owns the
3 lot somewhere, though, and we got to get to that,
4 and then maybe we can address all that in this
5 blight program that we're going to get through
6 here.

7 Thank you.

8 Next witness?

9 MS. MCCLAIN: Good morning, Council.
10 My name's Margaret McClain. I live in a home
11 where I have been fighting a issue with a tree for
12 four years. It's (indiscernible) from the root
13 and it's not where in the tree sits on someone
14 else's property -- maybe the City's or halfway in
15 between.

16 I bring to you the root of a tree that
17 I've been fighting (Displaying piece of tree root)
18 where from above, the birds may have brought in
19 some of it's little twigs and planted it in the
20 corner of my roof. When we thought we had the
21 root and we cleaned everything out, we thought,
22 but up jumped the tree again. Right now, the bark
23 of this tree is growing out of my house, and at
24 the bottom of it, it does not exist. And I agree
25 with the prunement [sic] of the tree along with

1 5/8/01 L&I - BILL 000771

2 Councilman Darrell Clarke and assisting him.

3 I also work in the area of the
4 community in different ways with children where
5 some of the trees are diseased. And I feel as
6 though that we should also look in that area to
7 make sure that the (indiscernible) of the trees
8 are not hazardous to the health of not only our
9 children, our seniors that may have respiratorial
10 [sic] systems and issues of health matters. Some
11 of those trees drip a dew on you and it burns your
12 skin and it does break you out.

13 But I thank Councilman Darrell Clarke
14 for bringing this issue up, and I hope we do get
15 this matter addressed quickly. And I thank the
16 Council.

17 COUNCILMAN MARIANO: Thank you, ma'am.
18 Thank you very much.

19 Next?

20 MS. BROWN: Good morning. My name is
21 Helen Brown, and I'm a committee person and I'm
22 here to support the bill.

23 And I have a question. I didn't quite
24 understand what the L&I person said about the tree
25 from your next-door neighbor, they are

1 5/8/01 L&I - BILL 000771

2 responsible. My neighbor is also a tree lover and
3 it's causing damage to my roof, which I had to
4 have repaired. And I'd like to know what do I do
5 with him and his tree?

6 COUNCILMAN MARIANO: Otis, you want to
7 answer that?

8 COUNCILMAN CLARKE: Mr. Haigler, she
9 wanted to hear from you, sir.

10 COUNCILMAN MARIANO: The question was,
11 I think, if you didn't hear it, her neighbor has a
12 tree and she wants the tree to be big and
13 bountiful, but it's destroying her quality of
14 life.

15 MR. HAIGLER: If the neighbor -- it's
16 an occupied property, the neighbor is responsible
17 for the tree, as they are responsible for anything
18 else that goes on in their property. Give us the
19 information, we will send our inspectors out. We
20 will follow due process to notify the person that
21 they are in violation of the City law and that
22 they do have time to correct this violation.

23 If they do not correct this violation
24 -- because, again, we can't do this for them --
25 they have to be notified that they do have a

1 5/8/01 L&I - BILL 000771
2 problem, and we do have to give them the
3 opportunity to correct that problem. If they do
4 not correct that problem, then we will take them
5 through the proper necessary enforcement action,
6 including, with this bill, this bill specifically
7 has a mechanism in there to cite the violation to
8 the property owner immediately to give them --
9 instead of taking them to court and waiting for
10 the court to issue a fine against this person,
11 this bill has provisions in there where we can
12 issue a ticket immediately to that person on an
13 every day basis if necessary to try to gain
14 compliance. It's the ultimate responsibility of
15 code enforcement to try to gain voluntary
16 compliance. Again, the City can only do but what
17 it can do legally.

18 COUNCILMAN MARIANO: Thank you,
19 Mr. Haigler. In questions?

20 (No questions.)

21 COUNCILMAN MARIANO: All right, thank
22 you.

23 Mr. Jonik, do you want to go?

24 MR. JONIK: My name is John Jonik,
25 J-O-N-I-K. I wrote that article that was

1 5/8/01 L&I - BILL 000771
2 apparently mentioned before I got here. Only
3 knowing of the two original versions of the bill
4 771 and 772, I heard later that this amended
5 version was available for three months but the
6 Chief Clerk's Office didn't have it, so I ran with
7 what was available. I ran with the copies of the
8 bill that the Chief Clerk's Office had available,
9 and they did not advise me to go to Mr. Clark's
10 office or anyplace else, that that would be
11 anything but the one that would be treated in the
12 hearing today.

13 So I just have a few things to add. I
14 do have testimony, which I have submitted 17
15 copies of that's back there somewhere, but I want
16 to point out one thing that people are talking
17 about 1500, \$2,000 charges. That may be just the
18 tip of the iceberg. Since the City seems to have
19 exempted itself from insurance here, unlike every
20 car owner in the City supposed to be, this could
21 be millions of dollars. If, you know, a City
22 contractor knocks a wire thing down and the whole
23 neighborhood goes up or whatever conceivable
24 nightmare happens. I don't know how anybody could
25 afford that or whether or not temporary insurance

1 5/8/01 L&I - BILL 000771

2 will be available to a person when the City would
3 be taking down a tree or pruning it. That
4 insurance thing seems very worrisome. Some people
5 may have home -- maybe it's covered in most
6 people's homeowner's insurance, but a lot of
7 people don't even have that in the City, even
8 through the fair plan.

9 I do like the idea that since trees
10 benefit everybody in the City -- this is Penn's
11 green country town, and tree blocks away can
12 benefit somebody by shading in the evening or
13 shading the sun or just cooling the air, by
14 supplying birds to eat the West Nile virus
15 mosquitos or whatever.

16 And so, therefore, since it is a public
17 benefit, even if a tree is on somebody's private
18 land, it benefits a lot of people, notwithstanding
19 the people who don't like leaves and, you know,
20 twigs.

21 So I think there has to be some kind of
22 public subsidy or some kind of program where
23 people could have a problem tree corrected without
24 going bankrupt. I don't know how that can be
25 done, whether there's any precedence for it.

1 5/8/01 L&I - BILL 000771

2 And I did make one point about the high
3 cost and fines and this insurance thing or
4 whatever, it will prompt do-it-yourself
5 lumberjacks to start climbing up the trees. I've
6 seen my neighbors do this -- tough guys up in the
7 tree with ropes, huge logs swinging down, missing
8 their kids by two inches, things like this. It's
9 incredibly frightening to -- if anybody ever dealt
10 with a tree, they're not called widow-makers for
11 no reason. I think that sometimes that really
12 tough penalties end up causing more problems than
13 they may solve sometimes.

14 So I hope that's considered along with
15 the insurance angle.

16 COUNCILMAN MARIANO: Thank you.

17 MR. JONIK: Everything else seems to
18 have been addressed.

19 COUNCILMAN MARIANO: Thank you, Mr.
20 Jonik. Thank you for your help.

21 MR. JONIK: Thank you.

22 COUNCILMAN MARIANO: Ma'am, Miss Lewis,
23 you're the last one.

24 MS. LEWIS: Good morning. And I'm here
25 to support the bill that Councilman Darrell Clarke

1 5/8/01 L&I - BILL 000771

2 is opposing.

3 My name is Sarah Lewis, I'm a committee
4 person out of the 32nd Ward, Division 30. I'm
5 here (indiscernible) have a report against L&I. I
6 have called L&I about a property at 1735 North
7 (indiscernible) Street.

8 COUNCILMAN DICICCO: Excuse me, ma'am.
9 If you could speak directly into the mic, we'll be
10 able to hear you better.

11 MS. LEWIS: All right. I have called
12 L&I hundreds of times about 1735 (indiscernible)
13 Street where there's a big tree in the backyard.
14 The lady, she's 85 years old, and the tree is
15 actually like tearing her roof off. L&I had told
16 me over and over that they've got in touch with
17 the owner, but nothing hasn't been done, okay.

18 At 1707 (indiscernible) Street, where
19 the City had gave me a vacant property where I
20 have a garden out there, but when Mr. Waver (ph.),
21 who worked for the City, came out there and tore
22 that building down, they left all of the bricks
23 and stones in the back of that alleyway. They
24 have not came back and removed it. I'd appreciate
25 L&I doing their responsibilities.

1 5/8/01 L&I - BILL 010010

2 And thank you.

3 COUNCILMAN DICICCO: Thank you.

4 COUNCILMAN MARIANO: Thank you, ma'am.

5 We have nobody else to testify so we're
6 going to move on to the next bill. The clerk will
7 read the next bill.

8 THE CLERK: Bill 010010, an ordinance
9 amending Chapter 9-700 of the Philadelphia Code,
10 entitled "Amusement Businesses," by adding a new
11 section implementing provisions of the Local
12 Option Small Games of Chance Act under which
13 licenses may be issued to eligible organizations
14 to conduct or operate small games of chance in the
15 City, under certain terms and conditions.

16 COUNCILMAN MARIANO: Bingo.

17 COUNCILMAN ORTIZ: This is the bingo
18 bill?

19 COUNCILMAN MARIANO: It's more than
20 bingo.

21 Anyone to testify on this bill?

22 Mr. Haigler from the Administration?

23 (Witness comes forward.)

24 MR. HAIGLER: Good day, Councilman
25 Mariano and members of the Committee Licenses and

1 5/8/01 L&I - BILL 010010

2 Inspections. I am Otis Haigler, Legislative and
3 Regulatory Affairs Manager for the Department of
4 Licenses and Inspections. Today I'm here to
5 provide testimony on Bill 010010, which, if
6 enacted, will amend Section 9-700 of the
7 Philadelphia Code by regulating the requirement to
8 operate small games of chance in the City of
9 Philadelphia.

10 Since the requirements of this bill is
11 mandated by passage of the Local Options Small
12 Games of Chance Act by the State legislature, the
13 Department of Licenses and Inspections offers no
14 objections to the enactment of the bill and is
15 prepared to administer the licensing provisions.

16 I had other portions of the testimony,
17 but I understand that there are some issues with
18 that portion of the testimony.

19 COUNCILMAN MARIANO: Yeah, and you have
20 some problems with the temporary license, and
21 we're waiting for an opinion from the Law
22 Department. We'll report it out like this and
23 we'll amend it on the floor if we have to.

24 MR. HAIGLER: Okay, 'cause I just
25 wanted to make that known, that we did have an

1 5/8/01 L&I - BILL 010010

2 issue with the fee for the limited option license.

3 COUNCILMAN MARIANO: We'll let the Law
4 Department decide. Thank you, Mr. Haigler. Thank
5 you very much.

6 MR. HAIGLER: Okay.

7 COUNCILMAN MARIANO: Anyone else to
8 testify?

9 (No response.)

10 COUNCILMAN MARIANO: Any questions for
11 this witness?

12 (No questions.)

13 COUNCILMAN MARIANO: Seeing none, we're
14 going to go on to the next bill, and I think
15 Councilman Clarke's holding that, right? You're
16 going to hold 72.

17 COUNCILMAN CLARKE: We're going to hold
18 72.

19 COUNCILMAN MARIANO: So we're going to
20 hold 000772, and that will be the end of the
21 public hearing and we'll go right into the public
22 meeting.

23 - - -

24

25

1 5/8/01 L&I - PUBLIC MEETING

2 COUNCILMAN MARIANO: The Chair
3 recognizes Councilman Clarke.

4 COUNCILMAN CLARKE: Thank you, thank
5 you Mr. Chairman. Mr. Chairman, I move that Bill
6 771 be reported out of committee as amended. I
7 believe all members --

8 COUNCILMAN DICICCO: Did you offer the
9 amendments?

10 COUNCILMAN MARIANO: Yeah, you got to
11 offer the amendments.

12 COUNCILMAN CLARKE: Oh, I'm sorry, my
13 mistake.

14 Mr. Chairman, I move the adoption of
15 the amendments that have been submitted to all
16 members.

17 (Duly seconded.)

18 COUNCILMAN MARIANO: It's been moved,
19 so moved and seconded.

20 What's your choice, everyone? I'm
21 sorry.

22 All those in favor, aye?

23 Anybody against, no?

24 The amendments pass.

25 COUNCILMAN CLARKE: All right. Thank

1 5/8/01 L&I - PUBLIC MEETING

2 you, Mr. Chair. I move that Bill No. 771, as
3 amended, be reported out with a favorable
4 recommendation and a request for a suspension of
5 the rules so as to permit first reading at our
6 next session.

7 (Duly seconded.)

8 COUNCILMAN MARIANO: So moved and
9 seconded on this bill 000771, as amended.

10 COUNCILMAN CLARKE: Actually, Mr.
11 Chairman, there was also a request by the
12 Administration on Page 2 to insert Section
13 312.2.2, to insert \$150.

14 MR. HAIGLER: May I ask --

15 COUNCILMAN MARIANO: That would be
16 another amendment or do we do that
17 administratively?

18 COUNCILMAN ORTIZ: That is an
19 amendment.

20 MR. HAIGLER: That would be an addendum
21 to the amendment. Give me one second here.

22 Yes, under PM 312.4.2, where it says
23 "Penalty," it reads: "The penalty for a
24 violation of any provision of this section shall
25 be. . . ." And at that point I would strike out

1 5/8/01 L&I - PUBLIC MEETING

2 everything after "shall be" and insert "in
3 accordance with Section A-601 of the
4 Administrative Code," which covers the \$150 to
5 \$300 fine provision.

6 COUNCILMAN MARIANO: So what's that,
7 double-amended?

8 COUNCILMAN ORTIZ: That's a new
9 amendment.

10 COUNCILMAN CLARKE: Another amendment.

11 COUNCILMAN MARIANO: Okay, so that's
12 another amendment.

13 I recognize Councilman Clarke for I
14 move for the amendment that Mr. Haigler just read.

15 COUNCILMAN CLARKE: I'd like to move
16 for the amendment, the second amendment on Bill
17 No. 771, as testified by Mr. Haigler, to insert
18 \$150.

19 (Duly seconded.)

20 MR. HAIGLER: Well, it would insert the
21 section of the amended --

22 COUNCILMAN ORTIZ: (Inaudible.)

23 MR. HAIGLER: Right.

24 COUNCILMAN MARIANO: Okay, it's been
25 amended and seconded.

1 5/8/01 L&I - PUBLIC MEETING

2 All those in favor?

3 So the amendment passes.

4 Now we have to vote on the bill as
5 amended twice.

6 COUNCILMAN CLARKE: As amended twice,
7 correct.

8 COUNCILMAN MARIANO: All right. Could
9 you make that motion, Councilman Clarke.

10 COUNCILMAN CLARKE: Thank you,
11 Mr. Chair, and I move that Bill No. 771, as
12 amended, be reported out of committee with a
13 favorable recommendation and a suspension of the
14 rules as to allow reading on first calendar this
15 Thursday.

16 (Duly seconded.)

17 COUNCILMAN MARIANO: It's been amended
18 and amended and it's to read it without -- suspend
19 it regular -- how do you say that now?

20 COUNCILMAN DICICCO: With a suspension
21 of the rules.

22 COUNCILMAN MARIANO: Suspend the rules
23 for the next session of Council to make the first
24 reading.

25 All those if favor for this bill, as

1 5/8/01 L&I - PUBLIC MEETING

2 amended, with a suspension of the rules?

3 Any nays?

4 The bill's approved, thank you.

5 The next one. Darrell, you going to
6 read that one too, Councilman Clarke?

7 COUNCILMAN CLARKE: Yes, certainly.

8 Thank you, Mr. Chairman.

9 I move that Bill No. 010010 be reported
10 out of committee with a favorable recommendation
11 and a request for a suspension of the rules so as
12 to allow first reading at our next session of
13 Council.

14 (Duly seconded.)

15 COUNCILMAN MARIANO: All those in
16 favor?

17 All those opposed?

18 Seeing none, the bill is approved as
19 out with a suspension of the rules.

20 So that will close the public meeting
21 of the L&I Committee. There's no other bills,
22 right?

23 That's it. Thank you.

24 COUNCILMAN CLARKE: Thank you.

25 (Adjourned 11:20 a.m.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

I HEREBY CERTIFY that the foregoing
proceedings of the Council of the City of
Philadelphia of Tuesday, May 8, 2001, were
reported fully and accurately by me, and that this
is a correct transcript of same.

RE: COUNCIL COMMITTEE ON LICENSES & INSPECTIONS
BILL NO.'S

_____,
JOSEPHINE CARDILLO,
Registered Professional Reporter