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

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Room 400, City Hall  
Philadelphia, Pennsylvania  
Wednesday, May 25, 2005, 3:25 p.m.

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9 BILL 040595 - An Ordinance amending Title 9 of The  
10 Philadelphia Code ("Regulation of  
11 Businesses, Trades and Professions")  
12 by amending Section 9-605 ("Towing")  
13 to prohibit certain towing upon the  
14 establishment of a rotational towing  
15 system; to define the parameters of  
16 the rotational system; and to make  
17 certain technical changes, all under  
18 certain terms and conditions.

14 BILL 040904 - An Ordinance amending Title 9 of The  
15 Philadelphia Code, entitled  
16 "Regulation of Businesses, Trades  
17 and Professions," by adding a new  
18 Chapter requiring dentists to post  
19 and distribute certain information  
20 concerning the use of mercury in  
21 dental procedures, and requiring  
22 dentists to install systems that  
23 permit the recycling of mercury  
24 waste, all under certain terms and  
25 conditions.

21 BILL 050203 - An Ordinance amending Title 9 of The

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1  
2 Philadelphia Code, entitled  
3 "Regulation of Businesses, Trades  
4 and Professions," by amending  
5 Section 9-102, entitled "Licenses  
6 and Permits," by providing that no  
7 license or permit shall be issued or  
8 renewed if the applicant is  
9 delinquent in the payment of any  
10 City or School District taxes,  
11 charges, fees, rents or claims, or  
12 is delinquent in the payment of  
13 certain penalties of fines, and by  
14 increasing the fee for dishonored  
15 checks.  
16  
17 BILL 050204 - An Ordinance amending Title 4 of The  
18 Philadelphia Code, entitled "The  
19 Philadelphia Building Construction  
20 and Occupancy Code," by amending  
21 Subcode A, Section A-202, entitled  
22 "Duties and Powers of the Code  
23 Official," by providing that no  
24 license or permit required by Title  
25 4 shall be issued or renewed if the  
applicant is delinquent in the  
payment of any City or School  
District taxes, charges, fees, rents  
or claims, or is delinquent in the  
payment of certain penalties or  
fines, all under certain terms and  
conditions.  
BILL 050266 - An Ordinance amending Title 9 of The  
Philadelphia Code, entitled  
"Regulation of Businesses, Trades,  
and Professions," by amending  
Section 9-601, entitled "Garages,  
Parking Lots, Sales Lots and  
Showrooms," by providing further for  
the filing of rates by public  
parking garages, under certain terms  
and conditions.  
BILL 050267 - An Ordinance amending Title 4,  
Subcode "A," The Philadelphia  
Administrative Code, to clarify the  
types of permits in connection with

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which the Department of Licenses and  
Inspections may charge fees for  
providing accelerated plan reviews  
and to establish a fee for the  
electronic storage of building  
plans; all under certain terms and  
conditions.

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BILL 050342 - An Ordinance amending Chapter  
10-1800 of The Philadelphia Code,  
entitled "Vicarious Liability for  
Student Conduct," by amending the  
definitions of Educational Housing  
District to include the Eighth  
Councilmanic District.

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PRESENT:

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COUNCILMAN RICHARD T. MARIANO, Chair  
COUNCILWOMAN JANNIE L. BLACKWELL  
COUNCILMAN DARRELL L. CLARKE  
COUNCILMAN DAVID COHEN  
COUNCILMAN FRANK DiCICCO  
COUNCILMAN JACK KELLY  
COUNCILWOMAN JOAN L. KRAJEWSKI  
COUNCILMAN JUAN F. RAMOS  
COUNCILWOMAN BLONDELL REYNOLDS-BROWN  
COUNCILMAN FRANK RIZZO

1 L & I - 5/25/05

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

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5 CHAIRMAN MARIANO: I want to bring  
6 this public meeting of the Committee on  
7 Licenses and Inspections to order.

8 We have a quorum. Councilman Rizzo,  
9 Councilman Ramos, Councilwoman Krajewski and  
10 Councilwoman Blackwell.

11 I think Councilman Clarke's in the  
12 building, too, but we have enough to start.

13 Mr. Lisko, would you read the first  
14 bill.

15 CLERK: Bill 050203, An Ordinance  
16 amending Title 9 of The Philadelphia Code,  
17 entitled "Regulation of Businesses, Trades  
18 and Professions," by amending Section 9-102,  
19 entitled "Licenses and Permits," by providing  
20 that no license or permit shall be issued or  
21 renewed if the applicant is delinquent in the  
22 payment of any City or School District taxes.

23 CHAIRMAN MARIANO: Any witnesses?  
24 Come on up. Both come together, Glancey and  
25 Otis. Come on. Let's go. Come on up. I

1 L & I - 5/25/05

2 think he's senior, Otis, so you've got to let  
3 him go. He's senior to you.

4 Mr. Glancey, state your name for the  
5 record.

6 MR. GLANCEY: Whoever is senior.

7 First of all, my name is David  
8 Glancey, and I'm the Chairman of the Board of  
9 the Revision of Taxes. I don't know  
10 whoever's senior. I think I am, so I'll  
11 probably run it.

12 CHAIRMAN MARIANO: Let the record  
13 show, Councilwoman Blondell Reynolds-Brown  
14 just joined us.

15 Continue, Mr. Glancey. I'm sorry.

16 MR. GLANCEY: Good afternoon,  
17 Chairman Mariano and other members of  
18 Council.

19 First of all, I'd like to make it  
20 clear at the outset of the testimony that I'm  
21 not here testifying on behalf of the City of  
22 Philadelphia. I'm here testifying on behalf  
23 of the Board of Revision of Taxes on these  
24 two bills.

25 And the Board of Revision of Taxes

1 L & I - 5/25/05

2 is in favor of passage of the concept  
3 embodied in these bills.

4 We believe that no building permit  
5 should be issued to any party prior to the  
6 determination of whether that party is  
7 delinquent in taxes, charges, fees, rents, et  
8 cetera.

9 We've been proposing this change to  
10 individual Council people, to developers, to  
11 lawyers, to individual homeowners for many  
12 years.

13 And we say this because it makes no  
14 logical sense to grant any party a permit to  
15 build in our City if that party is not  
16 abiding by the City's rules and laws.

17 And more importantly, under the  
18 current legislative scheme for abatement  
19 legislation, a party can receive a building  
20 permit, build a property, and sell the  
21 property to the ultimate consumer, usually a  
22 homeowner.

23 And furthermore, that party may make  
24 representations about the availability of an  
25 abatement on the property which may not be

1 L & I - 5/25/05

2 true.

3 And for example, the party  
4 developing the building -- I'm sorry. The  
5 party developing or building the property may  
6 still have some outstanding delinquency in  
7 taxes, rents, fees, et cetera.

8 And the Department of Revenue will  
9 inform the B.R.T. of this situation. And we,  
10 in turn, will inform the developer that no  
11 abatement will go into effect until the  
12 Department of Revenue gives us clearance to  
13 proceed.

14 In most cases the responsible  
15 developer will clear up the matter with the  
16 Department of Revenue, and an abatement will  
17 be approved for the property.

18 There are times, however, when the  
19 developer is not responsible and does not  
20 clear up the past delinquencies but  
21 nonetheless tells the purchaser that they  
22 will have an abatement on their property.

23 After settlement, the developer is  
24 gone. And the innocent and injured party is  
25 the new homeowner, whose only legal recourse

1 L & I - 5/25/05

2 is to sue the developer for misrepresenting a  
3 material fact in the contract to purchase  
4 that property.

5 In real life examples that we have  
6 seen at the B.R.T., the first question the  
7 innocent purchaser asks after the shock of  
8 not having the abatement wears off, is why  
9 did the City let this party build in the  
10 first place, if that party owes money to the  
11 City? When there's really no sufficient  
12 answer to that question.

13 Granting a building permit to a  
14 party that is delinquent in taxes, fees,  
15 charges, et cetera, cloaks that party with  
16 the City's stamp of approval.

17 If the City is granting someone  
18 permission to build or develop, it is  
19 reasonable to assume the applicant must be  
20 legitimate. And unfortunately, that is not  
21 always the case.

22 If no building permit were issued  
23 until all delinquencies were resolved, the  
24 situation I just described wouldn't happen.

25 Adopting this front-end

1 L & I - 5/25/05

2 certification puts all developers on an even  
3 playing field. The buying public will not  
4 have to guess who may or may not qualify for  
5 the abatement program.

6 Home buyers can be confident that  
7 their builder will be approved and they can  
8 enjoy the benefits of the abatement.

9 Also, while I've not specifically  
10 addressed the current turnaround time between  
11 the filing of an abatement application and  
12 the granting of that abatement, if the  
13 delinquency reviewed by the Department of  
14 Revenue were performed prior to the issuance  
15 of the building permit, the developer could  
16 file an abatement application and have it  
17 approved within a few days by the B.R.T.

18 We cannot suggest an easier or more  
19 efficient solution to the problems that we  
20 face under the current abatement processing  
21 methods.

22 Again, there may be other issues  
23 that other City departments have with these  
24 bills, and the B.R.T. certainly doesn't have  
25 the expertise to address those particular

1 L & I - 5/25/05

2 issues.

3 We do, however, strongly support the  
4 concept of having any delinquency review  
5 performed prior to the issuance of the  
6 building permit.

7 And I'll happily answer any  
8 questions you might have.

9 CHAIRMAN MARIANO: Thank you, Mr.  
10 Glancey.

11 Let the record show that Councilman  
12 Kelly has joined us.

13 Any questions for Mr. Glancey from  
14 the board... from the committee?

15 COUNCILWOMAN KRAJEWSKI: I would  
16 just like to compliment Mr. Glancey because  
17 what you spoke of, you have been very helpful  
18 to me because I have had those problems in  
19 the district, as far as the developer.

20 And the homeowner always has to go  
21 through an awful, awful time on it.

22 But you were there and I just want  
23 to thank you.

24 MR. GLANCEY: Thank you,  
25 Councilwoman.

1 L & I - 5/25/05

2 CHAIRMAN MARIANO: Any other Council  
3 people want to say anything?

4 (No response.)

5 CHAIRMAN MARIANO: No.

6 Mr. Glancey.

7 Mr. Haigler, do you want to go? You  
8 might as well stay there, Dave, for the next  
9 one.

10 Go ahead.

11 MR. HAIGLER: Good day, Councilman  
12 Mariano and members of the committee. I am  
13 Otis Haigler, Jr., Director of Legislative  
14 Affairs for the Department of License and  
15 Inspections.

16 I don't have any written testimony  
17 on this issue. And we would basically be  
18 trying to address any questions that would  
19 come our way regarding this matter, but from  
20 a perspective, the concept of verifications  
21 and checks, I don't think nobody would  
22 disagree with.

23 But the practicality of implementing  
24 such a proposal at this time would be  
25 difficult for the Department of Licenses and

1 L & I - 5/25/05

2 Inspections because we have over -- well over  
3 100,000 licenses that we process in our  
4 department.

5 These licenses are renewed  
6 automatically. There is no manual process to  
7 do this. And to take this from an automatic  
8 process and put it in a manual process, it  
9 would create a major disruption in our  
10 operation. So, that's why we would have an  
11 impractical way of doing this at this present  
12 time.

13 And also, some of the information  
14 that would be necessary to do the  
15 verification is in another department. It's  
16 not in L & I. It is in the Records  
17 Department -- in the Revenue Department. So,  
18 we would have problems dealing with that from  
19 that perspective.

20 CHAIRMAN MARIANO: Okay. Let me say  
21 that Councilman Clarke has joined us.

22 I think, Councilman DiCicco, do you  
23 have a question for Mr. Haigler?

24 COUNCILMAN DiCICCO: Thank you.  
25 Thank you, Mr. Chairman.

1 L & I - 5/25/05

2 Mr. Haigler, what kind of resources  
3 do you think the department... I see the  
4 Commissioner's approaching the witness table.

5 When you talk about resources, that  
6 you don't have the resources to monitor this,  
7 what are we talking about?

8 COMMISSIONER SOVILIVE: As Mr.  
9 Haigler just stated, we issue over 100,000  
10 licenses a year, and a manual process would  
11 be near impossible.

12 What we are presently working on  
13 with revenue and L & I in our new  
14 computerization that we talked about in our  
15 budget testimony will be basically, if we put  
16 Robert Sovilive and company in the computer,  
17 it will say yes or no if the taxes are  
18 current. And then we'll be able to process  
19 the license. That's the type of...

20 COUNCILMAN DiCICCO: How far away  
21 are we from implementing this new technology  
22 or...

23 COMMISSIONER SOVILIVE: As we speak.  
24 They're working on it, as we speak. Within  
25 the next year we should be able -- year --

1 L & I - 5/25/05

2 six months to a year we should be able to  
3 have it completed, where we can have that  
4 type of information.

5 Right now we have one interface with  
6 revenue on licenses to come in. And we're  
7 trying to work off of that interface, to see  
8 if we can tie it into the information we need  
9 to be able to comply with the intent of this  
10 ordinance.

11 COUNCILMAN DiCICCO: Is the reason  
12 it may take six months to a year because of  
13 the... Maybe is it lack of resources to  
14 speed up or expedite this process?

15 COMMISSIONER SOVILIVE: It's  
16 basically we are creating the system in the  
17 department right now to computerize the  
18 department.

19 It's scheduled to be completed by  
20 November to December of this year. So, right  
21 now it's difficult... It would be difficult  
22 to put it in place now because the system's  
23 not completed yet.

24 Once the system's complete -- As I  
25 stated, we have one interface right now. We

1 L & I - 5/25/05

2 have one interface right now that works  
3 when -- When the bill comes in, revenue  
4 receives the funds, and then it comes in to  
5 Licenses and Inspections, and it's put in our  
6 computer that the license has been paid.

7 So, now we're trying to build off of  
8 that interface, and we're building another --  
9 We're going to build another interface which  
10 will be used towards working an interface  
11 with revenue. And that should do the trick  
12 for us.

13 COUNCILMAN DiCICCO: If we amended  
14 the bill for the effective date to be  
15 December 31, '05, would be okay?

16 Otis is shaking his head no, but you  
17 said October, November.

18 COMMISSIONER SOVILIVE: I said our  
19 system we're building that we had planned  
20 will be built from between November -- I said  
21 November to December. You can't catch me,  
22 Councilman. I said from November to  
23 December. And that's from my lips to God's  
24 ears that that will happen.

25 What will happen, in fact, is in the

1 L & I - 5/25/05

2 interim we are working with revenue to  
3 build -- to comply with the ordinance, this  
4 ordinance.

5 And it would be hard for me... I'd  
6 have to get back to you with a time frame.  
7 It seems that we can have it done by  
8 December. But I'm not a computer expert, so  
9 I don't want to misspeak.

10 COUNCILMAN DiCICCO: With the  
11 co-sponsors, Councilman Kenney and Mariano,  
12 if we change the effective date to December  
13 31, '05, and for some unknown reason the  
14 system was not up, we can always, I guess,  
15 extend it.

16 But I think it's important that we  
17 put a time line on this so it doesn't just  
18 continued to...

19 COMMISSIONER SOVILIVE: I mean,  
20 absolutely for the record, we are in total  
21 agreement with the need for the bill.

22 COUNCILMAN DiCICCO: All right.  
23 Thank you.

24 CHAIRMAN MARIANO: Any other  
25 questions for these witnesses?

1 L & I - 5/25/05

2 Councilman Cohen.

3 COUNCILMAN COHEN: Is there an  
4 agreement that there are other people who may  
5 be in higher positions who are not in  
6 agreement and welcome the opportunity to not  
7 have a perfect answer in every case?

8 COUNCILMAN SOVILIVE: Well, I...

9 COUNCILMAN COHEN: Because that's  
10 how people in Philadelphia think. They think  
11 that these deficiencies exist because people  
12 want them to exist to have an excuse later to  
13 say, well, it was the system.

14 COMMISSIONER SOVILIVE: My superiors  
15 know what I was going to say today. And  
16 nobody told me not to come here and say it.  
17 And I do work for the administration. So, I  
18 don't know... If you mean the  
19 administration, I feel that they're on board  
20 with this.

21 COUNCILMAN COHEN: Well, we hope  
22 you're right.

23 I do mean the administration because  
24 the administration could clear it up  
25 immediately if they made an announcement that

1 L & I - 5/25/05

2 they wanted to clear it up and make a  
3 commitment of funds to enable you to be sure  
4 to do it not next November or December but to  
5 do it by July or August.

6 There should be no such safe places  
7 where people can hide bad deeds. Everybody  
8 ought to be treated fairly. And that's what  
9 we're looking for, is a sense of confidence  
10 for people in Philadelphia that the  
11 government is clean and nobody's playing  
12 games.

13 All right. Otherwise, I think the  
14 efforts by Council members DiCicco and Kenney  
15 and his field are admirable, and they ought  
16 to be maintained that way.

17 Thank you, Mr. Chairman.

18 CHAIRMAN MARIANO: Thank you,  
19 Councilman.

20 Any other questions for these  
21 witnesses?

22 (No response.)

23 CHAIRMAN MARIANO: Seeing none, Mr.  
24 Lisko, will you read the next bill.

25 MR. GLANCEY: Thank you, Mr.

1 L & I - 5/25/05

2 Chairman.

3 CHAIRMAN MARIANO: Oh, you want --  
4 I'm sorry. Do you want a witness on this  
5 one?

6 MR. SMITH: Yes.

7 CHAIRMAN MARIANO: Okay. I'm sorry.

8 MR. SMITH: I have a few copies of a  
9 letter I sent to Councilman Kenney and  
10 Councilman DiCicco back when this bill was  
11 introduced. Hope it's enough.

12 In the context of all the hearings  
13 you've been having... Incidentally, my name  
14 is Gray Smith. I'm an architect in  
15 Philadelphia.

16 I've practiced here for over 30  
17 years as a sole practitioner and as a member  
18 of a couple of other organizations in the  
19 past. Had my practice since 1975, and have  
20 been paying City taxes. And I own property  
21 here, so I've been paying real estate taxes  
22 as well.

23 I'm speaking primarily from an  
24 architect's point of view, having to deal  
25 with L & I frequently, and the difficulties

1 L & I - 5/25/05

2 that we have over there. Hopefully the  
3 computerization that's been under way for a  
4 number of years will improve a lot of the  
5 procedures over there, which are still  
6 somewhat medieval.

7 I think this bill has a lot of flaws  
8 in it, and particularly since there's no  
9 detail in it, particularly the issue about...  
10 in Bill 204, under certain terms and  
11 conditions.

12 And I'm going to raise a number of  
13 issues that are going to probably create, if  
14 this bill goes through, some 10 or 15 terms  
15 and conditions that you're going to need to  
16 do in order to be fair to the taxpayers of  
17 the City of Philadelphia, particularly those  
18 people interfaced with L & I.

19 And I know the context of this  
20 hearing is to try to collect more revenue  
21 which is what we're all trying to do. And  
22 it's a good cause. It's a good goal.

23 And to that effect, I would just  
24 like to thank Councilman DiCicco for all the  
25 great work he's done for our neighborhood in

1 L & I - 5/25/05

2 putting the Santora Library back on a full  
3 scale operation and the good work that was  
4 done at Palumbo Playground.

5 But regarding these two bills, 50203  
6 and 50204, I really request that you table  
7 these bills or hold them for consideration  
8 next year because I think they have serious  
9 defects, and if enacted can wreak some havoc  
10 in the design and construction industry in  
11 Philadelphia.

12 I recall that Bennett Levin  
13 attempted to implement this practice of  
14 permit denial for tax delinquency when he was  
15 Commissioner of Licenses and Inspections.

16 And he realized, after discussing  
17 with the industry, that that was a mistake  
18 and it would be counterproductive. So, he  
19 withdrew his proposal.

20 And I personally pointed out to him  
21 some of the defects in that approach, and I  
22 think he based it partly on some of my  
23 advice.

24 On their face, the bills might seem  
25 to force payment of some outstanding taxes

1 L & I - 5/25/05

2 which is a very good goal.

3 And I know there's lots of tax  
4 cheats out there that need some stimulation  
5 or some inclination to... And they need some  
6 stimulation or inclination to pay their  
7 taxes. However, I think this is the wrong  
8 way to do it.

9 150 or so licenses that are required  
10 to undertake various business practices in  
11 Philadelphia and the business privilege  
12 license are all mandated by City ordinances.  
13 You can't do those things without those  
14 licenses. And you can't do any business in  
15 the City without a business privilege  
16 license.

17 These bills are, therefore,  
18 contradictory to those ordinances. These  
19 bills make L & I perform a tax collection  
20 operation which it is not capable of or  
21 prepared to do or staffed to do or have the  
22 computer software to do.

23 As it is, L & I has half the staff  
24 needed to do its mandated work in a boom  
25 construction period.

1 L & I - 5/25/05

2 Now, I don't know if you've been  
3 over there recently, but it used to take one  
4 day to get a zoning review and approval or  
5 refusal.

6 Today it takes a minimum of 10 to 14  
7 days. You can't stay there and get it.  
8 You've got to wait for a letter or phone  
9 call. And if you want to get it expedited,  
10 it still takes at least seven days.

11 L & I is backed up in a boom period.  
12 You're adding still another aspect to  
13 their -- to the 400 requirements that you  
14 have and hoops that you have to jump through  
15 when you go over there to get a permit.

16 The same problem is with building  
17 permits, which now building permits that used  
18 to take a month to get are taking three and  
19 four months to get. And that's slowing down  
20 the process. Adding this additional hoop  
21 will slow down that process even more.

22 I suggest you go down to the  
23 concourse some day and see how it works or  
24 how it doesn't work, for that matter. It's  
25 like seeing sausage being made. It's an

1 L & I - 5/25/05

2 excruciating process. And those of us who  
3 have to go through it don't want another  
4 layer put upon us.

5 And I think you should leave tax  
6 collections up to the Revenue and Law  
7 Departments.

8 The no license, no permit  
9 regulations will effectively interfere with  
10 legitimate business operations in  
11 Philadelphia, which have nothing directly to  
12 do with the payment of taxes.

13 How, for example, can a business  
14 operate and produce income so as to pay its  
15 City taxes if L & I will not issue a legally  
16 required business license or permit to do  
17 that business?

18 It's a catch 22. You've got to do  
19 your business. You've got to get your  
20 license. But if you don't have your  
21 license -- If you haven't paid your taxes,  
22 you can't get your license, so you can't make  
23 the money to pay your taxes.

24 I think these regulations will  
25 encourage people and businesses to operate

1 L & I - 5/25/05

2 without licenses and without permits which is  
3 an all too common practice already. This  
4 will just encourage people to operate without  
5 those licenses and permits.

6 The most difficult part, though --  
7 And this gets into those conditions that are  
8 referred to but not listed in the bill.  
9 These bills make no consideration for tax  
10 disputes between the Revenue Department and a  
11 business or individual, which disputes are  
12 not the subject of an agreement but may be  
13 moving slowly through negotiations or the  
14 courts.

15 If I have a dispute with the City,  
16 with respect to a \$20 tax bill or a \$200,000  
17 tax bill, and it's a matter of dispute, it is  
18 listed as delinquent, as far as the Revenue  
19 Department is concerned.

20 That means until that thing goes  
21 through the courts or through the procedures,  
22 I will not be able to practice my profession  
23 as an architect by applying for building  
24 permits over at L & I.

25 And yet, I am entitled to that

1 L & I - 5/25/05

2 procedure, that due process, if I have a  
3 dispute with the Revenue Department.

4 And I have personally had  
5 occasion -- and I'm sure other business  
6 people have -- where the Revenue Department  
7 billed me erroneously for months for taxes  
8 that were already paid, due to their clerical  
9 errors and their inability to respond in a  
10 timely manner.

11 Now, they've improved things over  
12 there, but they're still not perfect.

13 And also, if you happen to have an  
14 agreement to pay a long-term tax bill with  
15 the Revenue Department, say, to pay a certain  
16 amount of money for eight months or a year,  
17 you're still classified as delinquent.

18 During that period, if I have an  
19 agreement, I would not be able to go to L & I  
20 and practice my profession as an architect by  
21 applying for a permit for one of my projects.

22 Under these proposed regulations,  
23 during a three or four-month period, where  
24 there is a problem clerically at the Revenue  
25 Department, I would not be able to practice

1 L & I - 5/25/05

2 architecture.

3 Now, The Philadelphia Building Code  
4 requires the design professional, that is,  
5 the guy, the architect, the engineer who  
6 designs the project, to be the applicant for  
7 a building permit. The contractor can't, the  
8 owner can't, the lawyer can't. The design  
9 professional must be the applicant.

10 If I've designed a building and  
11 there's a dispute with it... I'm just about  
12 through.

13 CHAIRMAN MARIANO: Okay. Because  
14 we're really under constraints here. We've  
15 got an hour to do five bills, and we get your  
16 point that you're against this. And it's  
17 duly noted.

18 MR. SMITH: Two more minutes and I'm  
19 done.

20 CHAIRMAN MARIANO: Two minutes and  
21 then I start shooting.

22 MR. SMITH: Okay. I'm bullet proof,  
23 but never mind.

24 (Laughter.)

25 MR. SMITH: Again, these two bills

1 L & I - 5/25/05

2 contradict that legal requirement, that an  
3 architect must apply for the building permit.

4 So, you've got to resolve the  
5 dilemma between one ordinance that says one  
6 thing and one ordinance that says you can't  
7 do it. And the Legal Department, I guess, is  
8 going to have to explore that.

9 In any event, I am analyzing these  
10 from an architect's position in a business  
11 continuously in Philadelphia since 1975.

12 And it appears that it would -- this  
13 bill would also adversely affect all 150 of  
14 those other types of professions that have to  
15 get licenses in Philadelphia.

16 And it also contradicts the  
17 ordinances that are on the books that require  
18 those people to have licenses. And if they  
19 can't get a license because they haven't paid  
20 a tax, then they can't do their work in order  
21 to earn the money to pay the tax. So, it's a  
22 catch 22.

23 Thank you very much.

24 CHAIRMAN MARIANO: Thank you, Mr.  
25 Smith. And we get it. We really do. Thank

1 L & I - 5/25/05

2 you for your thoughtful insight.

3 There's some other testimony we're  
4 going to add into the record.

5 Any questions from this witness?

6 Councilman Clarke.

7 COUNCILMAN CLARKE: Thank you, Mr.  
8 Chairman.

9 Good afternoon. Just briefly, are  
10 you aware of any current requirements, as it  
11 relates to having paid your real estate or  
12 any other City taxes, as it relates to your  
13 ability to do business with the City of  
14 Philadelphia.

15 MR. SMITH: I've never confronted  
16 any, even when I owed taxes.

17 COUNCILMAN CLARKE: Are you aware if  
18 you are trying to acquire a property from the  
19 City of Philadelphia, if you have any  
20 outstanding delinquent taxes, you will be  
21 prohibited to do that?

22 MR. SMITH: Yes. A title company  
23 would have a record of any outstanding liens  
24 on a property that you would have, plus any  
25 outstanding debts you would have from any

1 L & I - 5/25/05

2 source, one of which would be an outstanding  
3 lien on a piece of property.

4 And you go to buy -- You go to sell  
5 a piece of property --

6 COUNCILMAN CLARKE: The title  
7 company... We're talking about properties  
8 that are being purchased from the City of  
9 Philadelphia. So, it's probably not a lien  
10 on the property owned by the City of  
11 Philadelphia.

12 MR. SMITH: I'm not familiar with  
13 that. I've never bought a property from the  
14 City of Philadelphia.

15 COUNCILMAN CLARKE: Currently...  
16 Give you an example, one that Council its  
17 involved with. The Vacant Property Review  
18 Committee, which is a Council committee,  
19 committed by Council, meets on a monthly  
20 basis.

21 And I understand the volume is  
22 obviously not as large as the volume in the  
23 MSB, as it relates to issue of permits for a  
24 license.

25 But you are required to have all

1 L & I - 5/25/05

2 taxes and fees paid before you were in the  
3 position to receive a property from the City  
4 of Philadelphia through the Vacant Property  
5 Review Committee.

6 MR. SMITH: That sounds reasonable.

7 COUNCILMAN CLARKE: And it's my  
8 understanding that there are a couple of  
9 other instances, and there are probably some  
10 that I don't even know of, that you are  
11 required to have all your outstanding debt  
12 paid to the City of Philadelphia.

13 So, we're not talking about setting  
14 a precedent as it relates to this particular  
15 proposal.

16 MR. SMITH: Well, the most important  
17 thing here, I think, is, if you're going to  
18 set a precedent, then you have to have the  
19 exceptions built into it that allow for  
20 people who have agreements to pay back taxes  
21 or who have a dispute that's in the courts,  
22 with respect to back taxes in Philadelphia,  
23 rather than just simply summarily determine  
24 that they're delinquent, so they're not  
25 entitled to get a license or permit in the

1 L & I - 5/25/05

2 City.

3 There have to be -- There has to be  
4 enough flexibility in the process, and  
5 therein you're going to have to have some  
6 computer software and a lot of extremely  
7 up-to-date information at the Revenue  
8 Department which may be a task.

9 COUNCILMAN CLARKE: So...

10 MR. SMITH: In order to be able to  
11 be fair to people who walk in and don't even  
12 know they owe taxes or are sure that they  
13 don't owe taxes.

14 And then they have a shouting match  
15 with the L & I guy who's really just put in a  
16 bad position of having to say, I'm sorry, I  
17 can't give you your permit because you  
18 haven't paid your taxes. And there's going  
19 to be a big argument. I see arguments like  
20 that all the time at L & I.

21 COUNCILMAN CLARKE: We're not  
22 requiring people to do that.

23 So -- So, conceptually you agree  
24 with the premise that an individual should  
25 pay -- should have all obligations to the

1 L & I - 5/25/05

2 City of Philadelphia paid prior to being able  
3 to get a permit.

4 The question is that you just don't  
5 think we have the wherewithal, as it relates  
6 to our technology. Should be some  
7 flexibility, as it relates to other  
8 documents, in lieu of having actually paid,  
9 the agreement of sale or some -- something  
10 referencing some litigation or challenge, as  
11 it relates to...

12 Would you agree with the premise  
13 that people should in fact...

14 MR. SMITH: Pay taxes? Yes,  
15 absolutely I believe it.

16 COUNCILMAN CLARKE: ...pay taxes  
17 prior to being able to get something from the  
18 City of Philadelphia?

19 MR. SMITH: I do. I think, though,  
20 in order to be fair, like I said, you're  
21 going to have to have consideration for those  
22 people who are in a dispute with the Revenue  
23 Department or whose names are the same as  
24 somebody else who does pay taxes, and for  
25 some reason their name comes up and it's the

1 L & I - 5/25/05

2 same name. And they have an argument, it's  
3 not me. There's all kinds of...

4 COUNCILMAN CLARKE: I understand.

5 MR. SMITH: And the way it works is,  
6 that usually something like that happens.  
7 That's Murphy's law.

8 COUNCILMAN CLARKE: I actually get a  
9 letter every week sent to a Darrell W. Clarke  
10 saying I owe \$670 to some entity that I never  
11 heard of.

12 I call them and say, this is not me.  
13 They say, we're sorry sir.

14 And I get one the following week, so  
15 I understand that.

16 But the reality is that if we don't  
17 approach this in this matter -- And I've  
18 heard testimony indicating that L & I has  
19 some concerns about being able to provide the  
20 technical aspect of this proposal in a timely  
21 way, to incorporate in a reasonable time  
22 period.

23 And I think I heard the Council --  
24 the sponsors indicating that if in fact they  
25 weren't able to have this implemented, that

1 L & I - 5/25/05

2 there could be some discussion about  
3 lengthening the time, as it related to  
4 enforcement on this particular measure.

5 MR. SMITH: Well, look --

6 COUNCILMAN CLARKE: If you don't do  
7 something.

8 MR. SMITH: I don't think L & I  
9 should be in the tax collection business. I  
10 think you should leave that to the Law  
11 Department or the Revenue Department, and  
12 frankly because L & I has got enough to do.

13 COUNCILMAN CLARKE: Hold it. I  
14 heard you. You've said that several times.  
15 And I'm not suggesting that they should be in  
16 the revenue.

17 But I'm telling you that there are  
18 currently cases in the City of Philadelphia  
19 where you are prohibited from doing business  
20 with us if you have unpaid taxes.

21 The Vacant Property Review Committee  
22 does not collect taxes, but they will  
23 prohibit your ability to acquire a property  
24 through that process, unless you have taxes  
25 paid. So we're not setting a precedent.

1 L & I - 5/25/05

2 MR. SMITH: Well, I know this: When  
3 you go to L & I and you apply for a building  
4 permit, let's say for a historic property,  
5 they don't just process it there.

6 They say, okay. You've got to go to  
7 the Historical Commission in order to get  
8 their review and their approval which might  
9 take a few days. But they don't do it for  
10 you at L & I. They send you to another  
11 department.

12 By the same token, if this system is  
13 set up, then L & I could tell the person who  
14 comes up on the screen as owing taxes, you're  
15 going to have to go to the Revenue Department  
16 to resolve this.

17 And you either come back with a  
18 indication that you paid the taxes or some  
19 alternative explanation as to why you don't  
20 owe the tax or why there is a dispute  
21 regarding the tax, which will allow me to  
22 therefore proceed with your application.  
23 There has to be something of that nature.  
24 You can't just be black and white.

25 COUNCILMAN CLARKE: Okay. Thank

1 L & I - 5/25/05

2 you.

3 Thank you, Mr. Chairman.

4 CHAIRMAN MARIANO: Thank you, Mr.  
5 Smith.

6 Would the Clerk please read the  
7 title for the next bill.

8 CHIEF CLERK: The accompanying bill  
9 was 050204, an ordinance amending Title 4 of  
10 The Philadelphia Code, entitled "The  
11 Philadelphia Building Construction and  
12 Occupancy Code," by amending Subcode A,  
13 Section A-202, entitled "Duties and Powers of  
14 the Code Official," by providing that no  
15 license or permit required by Title 4 shall  
16 be issued or renewed if the applicant is  
17 delinquent in the payment of any City or  
18 School District taxes, charges, fees, rents  
19 or claims, or is delinquent in the payment of  
20 certain penalties or fines, all under certain  
21 terms and conditions.

22 CHAIRMAN MARIANO: So, this is  
23 basically the companion legislation to the  
24 last bill.

25 We're not going to hear any

1 L & I - 5/25/05

2 testimony on this because everybody that got  
3 to speak on the last one is going to say the  
4 same thing.

5 Are we okay with that? Mr. Smith?  
6 Everybody's okay?

7 Okay. Go on to the next bill.

8 CLERK: Bill 040595, an ordinance  
9 amending Title 9 of The Philadelphia Code  
10 ("Regulation of Businesses, Trades and  
11 Professions") by amending Section 9-605  
12 ("Towing") to prohibit certain towing upon  
13 the establishment of a rotational towing  
14 system; to define the parameters of the  
15 rotational system; and to make certain  
16 technical changes, all under certain terms  
17 and conditions.

18 CHAIRMAN MARIANO: All right. First  
19 panel is going to be Lewis Rosman for the Law  
20 Department, Frannie Healy, and Sergeant Bee,  
21 but I don't think Bee could say. He had to  
22 leave.

23 So, Mr. Rosman and Mr. Healy,  
24 whoever wants to go first.

25 MR. ROSMAN: My name is Lewis

1 L & I - 5/25/05

2 Rosman. I'm a senior attorney with the city  
3 Law Department.

4 I don't have any prepared testimony.  
5 I'm available if there are any technical  
6 questions about -- legal questions about how  
7 the bill works or if there are any amendments  
8 proposed to the bill.

9 CHAIRMAN MARIANO: We love that, Mr.  
10 Rosman.

11 Councilman Rizzo?

12 (No response.)

13 CHAIRMAN MARIANO: Councilman  
14 Kenney?

15 (No response.)

16 CHAIRMAN MARIANO: Councilman  
17 DiCicco?

18 (No response.)

19 Anybody?

20 (No response.)

21 CHAIRMAN MARIANO: Any questions on  
22 this bill, how it works? Anyone on the  
23 panel?

24 (No response.)

25 CHAIRMAN MARIANO: All right. Mr.

1 L & I - 5/25/05

2 Healy.

3 MR. HEALY: Good afternoon. My name  
4 is Francis Healy. I represent Police  
5 Commissioner Johnson in this matter. First,  
6 on his behalf, he extends his appreciation  
7 for valuing his comments on this legislation.

8 As you well know, the primary  
9 objective of the Police Department is to  
10 protect life and property. However, for many  
11 years, a dangerous condition has existed on  
12 our roadways.

13 CHAIRMAN MARIANO: Frannie, slow  
14 down a little bit. Pull the mike closer  
15 because the stenographer...

16 MR. HEALY: However, for many years  
17 a dangerous condition has existed on our  
18 roadways that the Police Department has been  
19 powerless to completely control or eliminate.

20 Vehicles that have been in accidents  
21 are often not removed expeditiously from the  
22 City streets, which present a hazardous  
23 condition. To date the Police Department has  
24 not had a formalized system to remove these  
25 vehicles.

1 L & I - 5/25/05

2 Additionally, the practice, which is  
3 better known as wreck chasing, negatively  
4 impacts the public safety.

5 When multiple towers rush to an  
6 accident scene to secure business, they  
7 sometimes cause accidents themselves. But  
8 the Police Department can and does cite  
9 towers who drive carelessly and recklessly.  
10 The profit motive outweighs the risk.

11 As the law of unintended  
12 consequences would have it, the current  
13 towing laws actually facilitate this very  
14 hazard.

15 There is no logistical or systematic  
16 method to assign accidents to specific  
17 towers. So, in essence, the towers are left  
18 to fend for themselves and literally scramble  
19 for any and all available work.

20 The amendments to Section 9-605  
21 creating a rotational tow system will remove  
22 this danger.

23 Equally important, this legislation  
24 does not interfere with the ability of towers  
25 to engage in other towing operations.

1 L & I - 5/25/05

2 This legislation only mandates  
3 towers for those situations where disabled  
4 vehicles are obstructing highways and  
5 sidewalks who will not prohibit towers from  
6 engaging in other towing contracts.

7 For these reasons, the Police  
8 Department fully supports the amendments to  
9 9-605, in that it eliminates the hazards  
10 involved in wreck chasing without over  
11 regulating the industry.

12 At this time I'm available for any  
13 questions, as well as I have a corporal from  
14 police radio, as well as a dispatcher, that  
15 can comment on how the existing rotational  
16 system works for the stolen program which is  
17 what we would mimic this program upon.

18 CHAIRMAN MARIANO: Stand by in case  
19 we get there.

20 Let's go through the other panels  
21 and you guys hang around so we can get to  
22 that because I'm sure there will be questions  
23 that the last panel asked that won't have to  
24 come back and ask you.

25 Is that okay?

1 L & I - 5/25/05

2 MR. HEALY: Okay.

3 COUNCILMAN MARIANO: And dinner's on  
4 Councilman Rizzo for everybody that hangs  
5 around late, just so you know.

6 The next panel will be Art Kulis  
7 from AOK Body Shop, Joseph Parente from  
8 Morton Towing and Recovery, and John  
9 Devirgilis, Silver Miller and Devirgilis.

10 I hope I said everybody's names  
11 right.

12 MR. DEVIRGILIS: Good afternoon,  
13 members... Mr. Chairman and members of  
14 Council. My name is John Devirgilis.

15 CHAIRMAN MARIANO: Councilwoman  
16 Krajewski wants to know if you're Jim's dad.

17 MR. DEVIRGILIS: I know Jim D.  
18 Devirgilis.

19 CHAIRMAN MARIANO: You're not his  
20 dad, though, right? Because you're not old  
21 enough to be his father.

22 MR. DEVIRGILIS: I'm not his father.

23 COUNCILWOMAN KRAJEWSKI: I did not  
24 say that.

25 CHAIRMAN MARIANO: Yes, you did.

1 L & I - 5/25/05

2 MR. DEVIRGILIS: To make things even  
3 more confusing, Jim and I have a case  
4 together, and you can imagine the confusion.

5 CHAIRMAN MARIANO: He's a good man.

6 MR. DEVIRGILIS: I represent the  
7 Philadelphia Authorized Towers and salvers  
8 which are towers in the City of Philadelphia.  
9 But there are also authorized salvers from  
10 the state -- the Commonwealth of  
11 Pennsylvania.

12 We support this amendment to the  
13 bill. The Police Department has, of course,  
14 documented the need to control the chaos  
15 involved in a situation that this bill would  
16 certainly help to alleviate.

17 I can tell you as an attorney for 30  
18 years representing towers and victims, not  
19 only of motor vehicle accidents but of the  
20 victims of the opponents of this bill, that  
21 there's a very real problem, and that there's  
22 a very real need for this amendment.

23 Philadelphia Authorized Towers is a  
24 success story for the removal of vehicles on  
25 a rotational basis. They already perform

1 L & I - 5/25/05

2 under a contract with the City of  
3 Philadelphia which the Police Department  
4 suggests that this bill should mirror, towing  
5 and storage of recovered stolen vehicles.

6 They respond within a particular  
7 20-minute period of time, something along  
8 that order, by a -- from a list that's kept  
9 by the Police Department.

10 They go out, they move the vehicle,  
11 and the police are back on the streets, back  
12 in service immediately thereafter.

13 We support the implementation of  
14 this bill through an RFP, and with the  
15 participation of all licensed towers, not  
16 just my organization, with a strong minority  
17 participation and the eliminating of any  
18 control by any one entity, as this bill and  
19 the amendment proposes.

20 Thank you.

21 CHAIRMAN MARIANO: Thank you.

22 Any questions for this witness from  
23 the committee or from the floor?

24 (No response.)

25 CHAIRMAN MARIANO: Seeing none...

1 L & I - 5/25/05

2 Sir.

3 MR. PARENTE: My name is Joseph  
4 Parente. I own and operate Morton Towing and  
5 Recovery.

6 I'm here today to support the  
7 implementation of the rotation bill. My  
8 company at the present time tows the City  
9 stolen and abandoned vehicles.

10 The stolen vehicle program is  
11 currently on rotation where the police  
12 dispatchers notify tow companies to respond  
13 and retrieve vehicles in a timely fashion.

14 The City is also divided into  
15 different divisions so that a company in that  
16 division is able to respond promptly, and  
17 also that the police officer resumes to other  
18 calls.

19 This program has been designed by  
20 the Philadelphia Police Department and  
21 instituted by the Law Department and works  
22 without flaws.

23 The City needs to stand up and  
24 protect the victims and the insurance  
25 companies of these accidents so that they are

1 L & I - 5/25/05

2 not charged with inflated prices or put  
3 through an ordeal just to retrieve their  
4 vehicle.

5 If the rotation is put up on an RFP  
6 basis, it will let all towers who meet the  
7 proper requirements of the City to be able to  
8 be a part of this program.

9 Thank you.

10 CHAIRMAN MARIANO: Any questions for  
11 this witness?

12 Councilman Kenney, please.

13 COUNCILMAN KENNEY: Sir, the name of  
14 your company is Morton Towing?

15 MR. PARENTE: Morton Towing and  
16 Recovery, sir.

17 COUNCILMAN KENNEY: Martin or  
18 Morton?

19 MR. PARENTE: Morton.

20 COUNCILMAN KENNEY: Could you just  
21 spell it for me? I'm sorry.

22 MR. PARENTE: M-o-r-t-o-n.

23 COUNCILMAN KENNEY: Is it Morton,  
24 Pennsylvania?

25 MR. PARENTE: Yes, sir.

1 L & I - 5/25/05

2 COUNCILMAN KENNEY: Okay. Do you  
3 know whether or not Morton has or your  
4 township or city has a rotation tow system?

5 MR. PARENTE: Actually, it just --  
6 They just went into a rotation system because  
7 of --

8 COUNCILMAN KENNEY: Are Philadelphia  
9 based towers permitted to apply for positions  
10 on the rotation?

11 MR. PARENTE: That I don't know. My  
12 towing operation is in Philadelphia.

13 COUNCILMAN KENNEY: Are you located  
14 in Philadelphia?

15 MR. PARENTE: Yes, I'm located in  
16 Philadelphia.

17 COUNCILMAN KENNEY: I'm sorry. The  
18 question, was it in Morton, Pennsylvania.  
19 You said, yes.

20 MR. PARENTE: Well, that's where the  
21 name of the company came from.

22 COUNCILMAN KENNEY: But it's located  
23 in Philadelphia.

24 MR. PARENTE: Yes, it's a  
25 Philadelphia location.

1 L & I - 5/25/05

2 COUNCILMAN KENNEY: Fine. I guess I  
3 have a question for the police. In the  
4 original towing bill or a subsequent piece of  
5 legislation, it was indicated that you could  
6 not license a tower from the municipality or  
7 township surrounding Philadelphia that  
8 refused to allow Philadelphia tow companies  
9 to participate or compete in their rotation  
10 tow system.

11 I mean, are we abiding by that or is  
12 L & I -- Maybe they're here too. Because  
13 I've heard of contracts that the police have  
14 with tow companies from outside Philadelphia  
15 areas that preclude the ability for  
16 Philadelphia towers to compete in their area  
17 but still issue the contract anyway. I mean,  
18 if you could find out from me.

19 MR. HEALY: I know we --

20 COUNCILMAN KENNEY: You'll have to  
21 come up. I'm sorry.

22 MR. HEALY: Councilman...

23 COUNCILMAN KENNEY: I'm sorry.

24 MR. HEALY: I'm not exactly sure  
25 exactly which contracts we have.

1 L & I - 5/25/05

2 When we did the 40,000 cars in 40  
3 days, we actually expanded the scope of the  
4 available salvage operations we had. I  
5 believe that was back in 2000.

6 I'm not sure whether we preclude or  
7 prohibit anybody from joining onto our  
8 program, if they're -- if we're not actually  
9 allowed into their jurisdiction. I don't  
10 know.

11 COUNCILMAN KENNEY: That's what our  
12 law says now.

13 MR. HEALY: Right. I'll have to  
14 look to see whether we have any of that fall  
15 into that category.

16 COUNCILMAN KENNEY: Okay. There's  
17 one particular -- There's one particular  
18 contract with Janeway, which I believe is  
19 located in Norristown, which prohibits  
20 Norristown by law, prohibits Philadelphia  
21 towers from participating in any of their  
22 rotation programs or contracting. But we  
23 still let the contract to this company.

24 And I'd like to get some information  
25 from you guys as to whether or not that's the

1 L & I - 5/25/05

2 case and why that happened.

3 MR. HEALY: I'll look into it,  
4 Councilman.

5 COUNCILMAN KENNEY: I think it's  
6 important we kind of regulate this,  
7 especially where there's abuse.

8 But also, I don't want to put our  
9 own local towers at a disadvantage because  
10 they're precluded from expanding their reach  
11 into areas around Philadelphia -- some areas  
12 around Philadelphia, but we have an open shop  
13 here where people can come in and just bid  
14 for the business.

15 MR. HEALY: I'll look into that.  
16 But it's important to note that this law is  
17 all-encompassing. It's not going to preclude  
18 towers from -- the average tower on the  
19 street from entering into different  
20 contracts.

21 If I can get my car off to the side  
22 of the road, I can contract with anybody I  
23 want.

24 COUNCILMAN KENNEY: But the wreck  
25 chasing issue is relative to accidents which

1 L & I - 5/25/05

2 are impeding the highway. And you need to  
3 get them off. And that's why these guys race  
4 to the scene to catch the big tuna.

5 MR. HEALY: I'll look into that.

6 COUNCILMAN KENNEY: I've heard  
7 stories where guys won't pick up an old car  
8 if it's in an accident but a Mercedes will go  
9 pretty quick.

10 But I need to get some information  
11 relative to that Janeway contract.

12 MR. HEALY: Okay. I'll look into  
13 that.

14 COUNCILMAN KENNEY: Okay. Thank  
15 you.

16 Thank you Mr. Chairman.

17 CHAIRMAN MARIANO: Mr. Healy, get  
18 that information to all of us, so that if we  
19 have to amend this or do something at a later  
20 date, we can do that. Because the  
21 Councilman's point is well taken, and it's  
22 something that we discussed on this floor  
23 before.

24 Any other questions?

25 (No response.)

1 L & I - 5/25/05

2 COUNCILMAN MARIANO: Seeing none for  
3 this panel, let's move into the next panel.

4 Mr. Doubman from the Insurance  
5 Federation and Ronald Kosh from AAA.

6 Are they still here? Insurance  
7 guys?

8 (No response.)

9 CHAIRMAN MARIANO: Looks like not.  
10 Okay.

11 Anybody else?

12 Let the august counselor go first.  
13 Give your name.

14 MR. MATTIONI: I don't know whether  
15 I qualify as august, but I am getting old.

16 CHAIRMAN MARIANO: I just use that  
17 word. I really have no idea what it means.

18 MR. MATTIONI: Believe it or not, I  
19 don't either.

20 John Mattioni. I represent the Tow  
21 Truck Operators of Philadelphia LLC. And  
22 unfortunately, we didn't get early notice of  
23 this meeting.

24 I got used to the idea that either  
25 your office or Councilman Rizzo's office

1 L & I - 5/25/05

2 sends me a letter at least a week in advance.

3 I'm coming in here --

4 CHAIRMAN MARIANO: I'm not sure why  
5 that happened. I thought everybody knew. I  
6 just figured...

7 MR. MATTIONI: Well, it's kind of  
8 consistent with what's happened to my group,  
9 the group that I represent.

10 I suppose because they're the group  
11 that are called direct chasers in an  
12 appropriate... sort of as a... suggesting  
13 that every member of this organization has  
14 some kind of nefarious activity associated  
15 with them.

16 CHAIRMAN MARIANO: Counselor, I  
17 wouldn't call them wreck chasers. I just  
18 think they're guys that are trying to make a  
19 living.

20 And part of this legislation is just  
21 to try to make sure that everybody, being  
22 white, black, Puerto Rico, Asian American,  
23 gets the same opportunity to get to the plate  
24 and do this here. The last thing we want to  
25 do is have something where somebody comes and

1 L & I - 5/25/05

2 says the process wasn't fair.

3 If you look at the makeup of this --  
4 at least the racial makeup and the sexual  
5 makeup of this board, you will see that  
6 everyone's pretty much represented.

7 So, that's why this took so long.  
8 And I think it's to the point now -- And you  
9 can continue. But I wouldn't call your guys  
10 wreck chasers.

11 I've talked to most of them through  
12 the last six, seven, eight months. And some  
13 of them are wreck chasers. And some of them  
14 admit it. But most of them aren't.

15 They're just guys trying to make a  
16 living the only way they know how. But I  
17 think there's a cry from the citizenship,  
18 especially the people on this panel, to slow  
19 it down a little bit.

20 MR. MATTIONI: And as far as we're  
21 concerned, I believe that if not all, most of  
22 the members of this organization are  
23 interested in trying to have a system or  
24 program that protects our citizens but also  
25 protects the small business people who might

1 L & I - 5/25/05

2 be adversely affected by the legislation  
3 that's presently pending.

4 I've already testified before you  
5 once before. I've also submitted some rather  
6 lengthy legal briefs. I've also submitted  
7 some follow-up information.

8 I participated in at least one  
9 relatively informal meeting. Unfortunately,  
10 we repeatedly were told that we would be  
11 allowed to participate to a larger extent  
12 than we have, in other words, more than just  
13 my submitting or saying things, and actually  
14 get involved in the nitty gritty of what it  
15 is you propose to do.

16 We do oppose the bill, but we've  
17 also made it clear that, not to the extent of  
18 saying let's not do anything. Apparently  
19 this panel thinks that something should be  
20 done.

21 If so, we have suggested a number of  
22 alternatives. Our major concern is that  
23 legitimate tow truck operators not be denied  
24 the opportunity to make a living, as you  
25 pointed out.

1 L & I - 5/25/05

2 And we're really concerned with when  
3 you pattern the tow truck operation after the  
4 existing one related to the salvage...  
5 what's been going on by contract with the  
6 City, the basic effect has been to limit the  
7 competition to perhaps a half a dozen or so  
8 different companies.

9 But we're talking about a spectrum  
10 of perhaps as many as 2,000 or more  
11 independent tow truck operators who we think,  
12 if you don't, and draft the bill correctly,  
13 and if the regulations that implement it are  
14 not properly crafted, will put most of them  
15 out of business. And most of them are  
16 legitimate business people.

17 We do believe that a rotational  
18 system can work. We've said that. We don't  
19 want one. But we said that we would work  
20 with the Council and with anybody else who  
21 cares to listen to us to come up with  
22 something that is workable and also  
23 reasonably protective of legitimate tow truck  
24 operators.

25 Our gripe, if you will, has been

1 L & I - 5/25/05

2 very simple. We've said a lot of these  
3 things, but nobody wants to talk to us. So,  
4 we're here talking again.

5 And we're telling you that while we  
6 don't like it, we think the only way to get a  
7 balanced program is to have our view heard,  
8 so that you take into account the limitations  
9 and the concerns that we have. And we think  
10 you haven't done that up until now.

11 CHAIRMAN MARIANO: I would disagree  
12 with you. I think we've done that, and we've  
13 probably done it to an extent where this  
14 could go on forever unless the people that  
15 are elected make some decisions, being good,  
16 bad or indifferent decisions.

17 I hear your plight. And I think you  
18 and I are saying the same thing. I've been  
19 assured... Now, I'm not the brightest guy in  
20 this City. I'm probably not even the  
21 brightest guy in this room.

22 But I've been assured by people that  
23 will not lie to me, because if they do they  
24 won't be working when I find it out, that  
25 this thing is going to be fair to everybody.

1 L & I - 5/25/05

2 Is everyone going to be happy? Absolutely  
3 not. If we had to wait for everyone to be  
4 happy, we'd still be fighting the civil war.  
5 Okay.

6 There's times when leaders have to  
7 lead and there's times when us legislators  
8 have to legislate.

9 And unfortunately, I'm sorry you  
10 feel that way because I like you, and I like  
11 your people. And I've been listening. I  
12 don't think any of your members are going to  
13 get cut out, if they comply by the  
14 regulations.

15 Now, the gentleman from the Law  
16 Department is here. He can come up and  
17 explain the legislation. But there's a  
18 Council President in the other room that  
19 wants to come in here and do another hearing  
20 as of 15 minutes ago. But we're going to  
21 extend that.

22 But we worked on this, right, Mr.  
23 Rosman? This has been worked on. And it is  
24 the best it's going to get for right now.  
25 I'm not saying it couldn't be amended at a

1 L & I - 5/25/05

2 future time, but there's been a cry. There's  
3 been a cry from the public. There's been a  
4 cry from the newspapers.

5 And I'm not one that reads the  
6 newspapers a whole lot. If you read them,  
7 you'll know that. It's just time for us to  
8 act on this.

9 Do I personally think it makes a  
10 difference if we acted today or three months  
11 from now? No.

12 But the voices on this committee  
13 want to act on it, so we're going to have to  
14 act on it.

15 MR. MATTIONI: Well, as you know --

16 CHAIRMAN MARIANO: But you know, you  
17 will be heard.

18 MR. MATTIONI: Well, that's our  
19 problem, however. And I respect the fact  
20 that we've -- you have spoken to us and we  
21 have presented our views to you.

22 The problem that we have had is that  
23 we were told that the Law Department's  
24 representative and the Managing Director's  
25 Office would respond to any suggestions or

1 L & I - 5/25/05

2 recommendations I made in behalf of my  
3 client.

4 I did so and never heard a word.

5 CHAIRMAN MARIANO: Okay.

6 MR. MATTIONI: And I was a  
7 seven-year product of the Law Department back  
8 when Councilman Rizzo's father was Mayor. I  
9 have to tell you --

10 CHAIRMAN MARIANO: His father was  
11 the Mayor?

12 MR. MATTIONI: Nooooo.

13 CHAIRMAN MARIANO: I never knew  
14 that.

15 MR. MATTIONI: I have to tell you, I  
16 was very much disappointed I never got any  
17 kind of response. So -- When -- You  
18 understand --

19 CHAIRMAN MARIANO: I apologize for  
20 that. You should have gotten a response.  
21 And maybe we could find out from the Law  
22 Department why, but we can belabor this all  
23 afternoon. And I think there's some  
24 questions.

25 Councilman Rizzo, you have a

1 L & I - 5/25/05

2 question of any of these witnesses? Does  
3 anyone else have any questions?

4 You guys can still testify. But you  
5 understand what I'm telling you? I held this  
6 off as long as I could. It's here.

7 MR. MATTIONI: And I appeared before  
8 you, and I made a number of submissions.

9 CHAIRMAN MARIANO: Because you had  
10 some great points.

11 MR. MATTIONI: I don't know if  
12 there's anything else I can add by continuing  
13 to talk.

14 CHAIRMAN MARIANO: Thank you. I  
15 appreciate that.

16 MR. DeCALSANOVA: Good afternoon,  
17 Council. Anthony DeCalsanova. I represent  
18 the towers.

19 I oppose the rotation mainly because  
20 of all the numbers of individuals that are  
21 out there towing.

22 Many companies... Sergeant or  
23 Officer Healy mentioned that he wants it to  
24 mirror the salvagers' way of doing businesses  
25 or towing, as far as rotation with the

1 L & I - 5/25/05

2 abandoned and the stolen recoveries.

3 Big problem that I see with that is  
4 that there's only a handful of individuals  
5 doing that recovery system right now.

6 And based on all of the tow  
7 companies that are qualified to do those  
8 tows, they could not compete or there just  
9 wouldn't be all of those individual towers  
10 needed to do these removals on a rotation  
11 basis.

12 So, to implement a rotation system,  
13 you'll be eliminating many small businesses  
14 from going after that work, first of all.

15 So I personally believe it could  
16 never be mirrored, according to the way it's  
17 done now. You'd be eliminating many  
18 newcomers to the program or you'd basically  
19 be shut out to where no more could be  
20 accepted for the program.

21 There's a large number of towers  
22 versus a smaller number of disabled or  
23 recovered vehicles.

24 And then we throw in the wrecked or  
25 disabled vehicles from accidents, there still

1 L & I - 5/25/05

2 isn't enough to supply proper work.

3 CHAIRMAN MARIANO: Can I interrupt  
4 you for a minute?

5 MR. DeCALSANOVA: Sure.

6 CHAIRMAN MARIANO: Have you seen the  
7 new proposal? Because it's not... Where's  
8 Sergeant Healy?

9 Did you just -- You didn't say that  
10 it was on -- this new proposal was based on  
11 the salvers' proposal?

12 UNIDENTIFIED PERSON: He wanted to  
13 mirror it, he says.

14 CHAIRMAN MARIANO: It's been  
15 changed. Maybe what he wanted to do and what  
16 happened. I think there's a new proposal  
17 that you guys haven't seen.

18 MR. MATTIONI: I think that's true,  
19 because I haven't seen anything whatsoever.

20 CHAIRMAN MARIANO: Mr. Lisko, how  
21 about we go -- Do you want to finish? And  
22 then you go to the sidebar with Mr. Lisko and  
23 see this stuff?

24 I mean, we were trying to get away  
25 from that. And I haven't been as involved as

1 L & I - 5/25/05

2 I would like to because of other things. But  
3 it's not going to happen like that.

4 MR. MATTIONI: I understand. That's  
5 one of the problems I had personally, having  
6 established what I thought was some degree of  
7 liaison between your office --

8 CHAIRMAN MARIANO: And I think we  
9 were using a lot of your proposals.

10 MR. MATTIONI: -- and Councilman  
11 Rizzo's. And we did not hear a damn thing.

12 CHAIRMAN MARIANO: We were using  
13 your proposals.

14 UNIDENTIFIED PERSON: We haven't  
15 received any new proposals in order to act on  
16 it, in another sense.

17 CHAIRMAN MARIANO: And I don't know  
18 why that is. You should have. I don't know  
19 why.

20 UNIDENTIFIED PERSON: Even with our  
21 input or output on it, either way, we haven't  
22 received that.

23 CHAIRMAN MARIANO: It wasn't  
24 intentional because I would have rather this  
25 run smoother. I was under the impression --

1 L & I - 5/25/05

2 UNIDENTIFIED PERSON: Based on what  
3 Officer Healy said, he did say he wanted to  
4 mirror what the program is right now. And if  
5 something's been changed, I'm not...

6 CHAIRMAN MARIANO: It's my  
7 understanding that Procurement came up with  
8 this new proposal. And it seems to be fair.

9 UNIDENTIFIED PERSON: I need to go  
10 back and do new homework then. We weren't  
11 prepared for that.

12 CHAIRMAN MARIANO: I'm sorry. It  
13 wasn't intentional, believe me.

14 Okay. Well, let him testify and  
15 then go talk with Lisko on the side, and  
16 maybe it won't be that bad.

17 MR. MATTIONI: I will go around  
18 myself now.

19 CHAIRMAN MARIANO: Sure. Thanks.

20 MR. WAKOWSKI: My name is David  
21 Wakowski.

22 The problem I have is, you said that  
23 we'll all be assured of fair dealing, and  
24 stuff like that?

25 CHAIRMAN MARIANO: Well, let me

1 L & I - 5/25/05

2 rephrase that. I have been assured that it's  
3 going to be fair to everybody.

4 But at this point in my life,  
5 there's no way of ever pleasing everybody.  
6 So can I assure you that you or he'll be  
7 happy or Mr. Turzanski will be happy. I'd  
8 love to say yeah, but I'd just be lying to  
9 you.

10 MR. WAKOWSKI: One thing I do know  
11 about amongst your salvagers that you have  
12 that are supposedly all... work together and  
13 do everything together.

14 There's certain body shops that are  
15 salvagers that pay wreck chasers, whatever  
16 you want to call us, percentage to find  
17 stolen recoveries, give them the tag  
18 information so they can run it for us, let us  
19 go to people's house, and work it back to  
20 their shops.

21 And one of them's sitting over there  
22 now. And I got other people that are coming  
23 that he pays to do that.

24 Okay. Now, they're supposed to be  
25 legitimate salvagers that between each other

1 L & I - 5/25/05

2 they're supposed to be honest and let  
3 everybody down the list get that theft  
4 recovery, the next person on the list.

5 But they try to have people out  
6 there in cars and everything else finding  
7 these theft recoveries and all, so they can  
8 get the information; the can pull the car  
9 into their shop and get the work.

10 And there's other ones that have  
11 body shops in the back of their shop and say  
12 they rent it out to certain people, but  
13 that's not fair to us.

14 CHAIRMAN MARIANO: And what you're  
15 saying is absolutely true. And that's why  
16 we're trying to change it.

17 MR. WAKOWSKI: Right. So, I feel if  
18 you put anything together like that, somebody  
19 some way down the line is going to find some  
20 way of either getting in with cops, because  
21 we heard before, years ago cops got in  
22 trouble for taking payoffs. So, somebody  
23 will get in touch with the cops. They'll get  
24 their things going on or somebody else.

25 And sooner or later people are going

1 L & I - 5/25/05

2 to get cut out, where we're trying to come up  
3 with our own rotational system that helps  
4 everybody. It's fair to everybody. And they  
5 could come in.

6 Even the salvagers are allowed to  
7 come in and work with us, and do their work  
8 that they have to do.

9 I mean, we don't stop them from  
10 making any money. We don't stop them from  
11 going out and picking a wreck up off the  
12 street.

13 CHAIRMAN MARIANO: Sergeant Healy,  
14 on that issue -- And I know you can't speak  
15 for the Police Commissioner, but you are a  
16 policeman, not an attorney.

17 If someone in the Police Department  
18 was found out to be helping someone get to a  
19 point in this list that would give them an  
20 unfair advantage, what would be the  
21 consequences, just off the top of your head?

22 MR. HEALY: Obviously, the Internal  
23 Affairs Investigation. They'd be terminated.

24 CHAIRMAN MARIANO: You have to step  
25 up to the mike.

1 L & I - 5/25/05

2 MR. WAKOWSKI: I've seen some get  
3 investigated and still work.

4 MR. HEALY: If we find someone  
5 guilty of a violation like that, if it's a  
6 criminal violation, we'll arrest the officer.

7 I mean, we have no objections to  
8 doing that. We do it all the time. When we  
9 find cops that are acting in a criminal  
10 manner, we'll make the arrest, period.

11 CHAIRMAN MARIANO: Thank you,  
12 Sergeant.

13 Not perfect because you know stuff  
14 still goes on, but --

15 MR. WAKOWSKI: Right. That's what  
16 I'm saying. We're not assured anything's  
17 going to go our way.

18 I mean, that's why we tried to come  
19 with -- We got ideas of our own, things that  
20 we come up with and do, to help everybody.

21 Like I said, we ain't trying to push  
22 anyone out of... We're not even trying to  
23 say, we want it all ourselves; the heck with  
24 the salvagers or nuttin'. They're free to  
25 come in and be part of our rotation system,

1 L & I - 5/25/05

2 whatever we want to do.

3 CHAIRMAN MARIANO: It's my  
4 understanding that this new rotation system  
5 will do all that.

6 MR. MATTIONI: Councilman.

7 CHAIRMAN MARIANO: I've been wrong  
8 before, but I don't think so this time,  
9 but...

10 MR. MATTIONI: I've read the  
11 amendment to Section 2, and quickly glanced  
12 through Exhibit A, which is 17 pages long,  
13 bid specifications and Exhibit A to that,  
14 establishing division boundaries which are  
15 not attached, and Exhibit B, tower  
16 information forms.

17 I think I'm a pretty good lawyer,  
18 but I don't think I can read this and  
19 understand it in the time that you want me to  
20 take here today. And that's the reason why  
21 we thought we were going to be favored with  
22 copies of this beforehand.

23 CHAIRMAN MARIANO: I thought you  
24 were, too.

25 MR. MATTIONI: So, I have to tell

1 L & I - 5/25/05

2 you that being sandbagged like this for my  
3 clients -- And I know none of them received  
4 any of this information.

5 COUNCILMAN RIZZO: Counselor, you  
6 weren't sandbagged. These things were  
7 legally --

8 MR. MATTIONI: Councilman Rizzo.

9 COUNCILMAN RIZZO: Counselor, if you  
10 were doing your homework, you would have read  
11 the paper, and made like everybody else does,  
12 to look at the advertisements of what we do  
13 here. It was -- This is a legal hearing. If  
14 your eye wasn't on the ball, don't blame us.

15 MR. MATTIONI: I -- I -- I -- I  
16 confess that I didn't follow the published  
17 notices.

18 And there's a very good reason for  
19 that. You established a pattern of giving me  
20 personal notice. And so, I thought I could  
21 rely on you and your integrity and  
22 reputation. That's what I did.

23 And I think this is far too  
24 important to the 2,000 plus people who are  
25 tow truck operators to be treated that way.

1 L & I - 5/25/05

2 COUNCILMAN RIZZO: Your tactic to  
3 delay us isn't going to work today.

4 MR. MATTIONI: I have not tried to  
5 delay anybody. I've tried to cooperate with  
6 you from the beginning when I first got  
7 involved.

8 CHAIRMAN MARIANO: Thank you, Mr.  
9 Mattioni.

10 Any questions for anyone else from  
11 this committee for this panel?

12 (No response.)

13 CHAIRMAN MARIANO: Any other Council  
14 people?

15 (No response.)

16 CHAIRMAN MARIANO: Seeing none. Mr.  
17 Lisko, we got one more bill?

18 CLERK: Bill 050266, an ordinance  
19 amending Title 9 of The Philadelphia Code,  
20 entitled "Regulation of Businesses, Trades,  
21 and Professions," by amending Section 9-601,  
22 entitled "Garages, Parking Lots, Sales Lots  
23 and Showrooms," by providing further for the  
24 filing of rates by public parking garages,  
25 under certain terms and conditions.

1 L & I - 5/25/05

2 CHAIRMAN MARIANO: The witness list  
3 for this is Fritz Smith.

4 COUNCILMAN KENNEY: Mr. Chairman,  
5 may I just quickly state for the record some  
6 initial comments?

7 COUNCILMAN MARIANO: Sure.

8 COUNCILMAN KENNEY: This bill is an  
9 effort to... We've been for a while now  
10 trying to get our arms around the issue of  
11 high parking rates in the City of  
12 Philadelphia.

13 There's a number of factors that  
14 affect those rates, some of them being taxes,  
15 others being the lack of competition from the  
16 government in the parking business, and  
17 having it basically be a private -- totally  
18 private sector monopoly.

19 We've looked at a lot of different  
20 areas. And one of the areas that we could  
21 address relatively quickly is the requirement  
22 that this bill would -- would -- would...  
23 The process that this bill would require on  
24 private parking lots filing the rates with  
25 the Department of Licenses and Inspections at

1 L & I - 5/25/05

2 the beginning of each month, they would not  
3 be able then to change those rates until the  
4 beginning of the next month.

5 And what we're trying to do is to  
6 get the practice of what we consider gouging  
7 and special events: Flower Show, car show,  
8 sporting events.

9 So that if you want to charge that  
10 type of rate, you have to start out with it  
11 in the beginning of the month, and not be  
12 able to change it until the beginning of next  
13 month.

14 There's only one recommended  
15 amendment that came from the Parking  
16 Authority which is the change in the schedule  
17 of rates being at least 48 hours to 72 hours  
18 in advance.

19 That gives them the opportunity to  
20 include this parking rate information in  
21 their newly designed parking lot finder  
22 program that they're going to go on the web  
23 with.

24 So, with those comments, there's a  
25 number of people here to testify. I would

1                   L & I - 5/25/05  
2           just like to state for the record that there  
3           are letters in support of this bill from Jane  
4           Pepper of the Pennsylvania Horticultural  
5           Society; the Center City Proprietors  
6           Association, Ben Frank, Executive Director;  
7           the Reading Terminal Market, Mr. Paul  
8           Steinke, but he's here today to testify; and  
9           the Greater Philadelphia Chamber of Commerce,  
10          Governor Mark Schweiker has sent letters in  
11          support of the bill. And we have some people  
12          to testify in person.

13                   CHAIRMAN MARIANO: We'll admit those  
14          letters into the record.

15                   Thank you, counselor.

16                   COUNCILMAN KENNEY: Thank you, Mr.  
17          Chairman.

18                   CHAIRMAN MARIANO: Mr. Haigler, do  
19          you want to go first?

20                   MR. HAIGLER: Good day, Councilman  
21          Mariano and members of the committee.

22                   I'm Otis Haigler, Jr., Director of  
23          Legislative Affairs for the Department of  
24          Licenses & Inspections.

25                   Today I'm here to provide testimony

1 L & I - 5/25/05

2 on Bill 050266 which, if enacted, will  
3 require the owners or operators of public  
4 parking garages or lots to wait until the  
5 following calendar month before implementing  
6 changes to rates charged to consumers, after  
7 providing L & I with 48 hours' notice of such  
8 change.

9 The Department of Licenses and  
10 Inspections offers no objections, and in fact  
11 supports passage and enactment of this  
12 consumer protection legislation.

13 The intent of this bill will protect  
14 the public from dramatic increases in parking  
15 rates from the usual rates charged at the  
16 public parking facility when special events  
17 are conducted in the City.

18 This practice has had a negative  
19 impact not only on our visitors to these  
20 events, but also to frequent users of the  
21 parking facility who unwittingly are charged  
22 rates that are much higher than what they are  
23 used to paying or what is expected.

24 We will be offering a friendly  
25 amendment to the bill which we believe will

1 L & I - 5/25/05

2 close an unintended loophole in the bill and  
3 reduce the chance of confusion, concerning  
4 the bill's enforcement after passage.

5 Passage and enactment of this bill  
6 may act as a deterrent to discourage this  
7 practice from continuing, and the department  
8 will enforce the provisions of this bill  
9 should it pass in Council and signed into law  
10 by the Mayor.

11 Thank you for the opportunity to  
12 provide testimony on the bill, and I will be  
13 happy to answer any questions.

14 CHAIRMAN MARIANO: Thank you, Mr.  
15 Haigler.

16 Are there any questions from Mr.  
17 Haigler from the committee or any other  
18 Council people?

19 (No response.)

20 CHAIRMAN MARIANO: No. Seeing  
21 none... Any other witnesses? I think  
22 there's Mr. Smith.

23 MR. HAIGLER: We have a copy of the  
24 amendment that we'd like to hand up.

25 CHAIRMAN MARIANO: Mr. Smith, Ms.

1 L & I - 5/25/05

2 Young and Mr. Steinke.

3 MR. HAIGLER: Okay. The one part of  
4 the amendment, as Councilman Kenney had  
5 stipulated, was the 72-hour provision. The  
6 other part of the amendment was to close an  
7 unintended loophole, I believe, that the  
8 Councilman was not aware of in the bill.

9 You stipulate in the bill that the  
10 parking garage or facility would not be able  
11 to change their rates within the same  
12 calendar month after notice has been given.

13 But the thing is, it will be easy to  
14 get around that provision if you were to give  
15 notice one minute that you're going to change  
16 the rate, on, say, the 15th of the month that  
17 you were changing the rate, and then on the,  
18 say, the 20th of the same month, you  
19 stipulate you're going to change the rate  
20 back to the --

21 COUNCILMAN KENNEY: I'm sorry. I am  
22 aware of that proposed amendment, and I am in  
23 agreement with it.

24 Thank you.

25 CHAIRMAN MARIANO: All right. Give

1 L & I - 5/25/05

2 us that.

3 MR. FRITZ SMITH: Good afternoon,  
4 members of Council.

5 My name is Fritz Smith, and I am  
6 with the -- I am the Director of  
7 International and Domestic Tourism at the  
8 Philadelphia Convention and Visitors Bureau,  
9 on behalf of our President, Tom Muldoon, who  
10 unfortunately could not make it today. I  
11 apologize.

12 Therefore, I don't have prepared  
13 remarks, but I would like to express the  
14 sentiment that our organization supports the  
15 bill.

16 We are a membership based  
17 organization with about 1,000 members in the  
18 Philadelphia region, predominantly in the  
19 hospitality industry.

20 Our primary mission is to solicit  
21 and book meetings, special events, sporting  
22 events, motor coach tours, and to bring  
23 international visitors to Philadelphia.

24 And I would remind members of  
25 Council that we are about a \$10 million, \$11

1 L & I - 5/25/05

2 million organization, funded primarily with  
3 hotel room tax, state tax dollars and  
4 membership dues, and that we spend that money  
5 in a very aggressive effort to bring people  
6 here to this region, and that it is  
7 imperative that we give them the best  
8 experience that we can.

9 And some of these parking rate  
10 increases during the course of special events  
11 have a very negative influence on our ability  
12 to market Philadelphia.

13 Thank you.

14 CHAIRMAN MARIANO: Thank you, Mr.  
15 Smith.

16 Any questions for him?

17 (No response.)

18 CHAIRMAN MARIANO: Seeing none, Ms.  
19 Young.

20 MS. YOUNG: Yes. Good afternoon,  
21 honorable City Council members. My name is  
22 Aminah Young, and I serve as the Executive  
23 Vice President for External Affairs at the  
24 Pennsylvania Convention Center Authority.

25 I appreciate the opportunity to

1 L & I - 5/25/05

2 speak with you today to discuss an issue that  
3 is very important to the Convention Center  
4 and the Philadelphia tourism industry as a  
5 whole.

6 The simple fact of the matter is  
7 that the hospitality and tourism industry in  
8 Philadelphia must always be viewed in its  
9 totality.

10 You simply can not separate the  
11 business at the Convention Center from the  
12 cultural attractions, shopping, restaurants  
13 and, yes, parking when considering specific  
14 topics that can impact the economic impacts  
15 of tourism.

16 That is why I believe that the  
17 legislation being considered today, which  
18 would further regulate changes in parking  
19 rates, is important to the Convention Center  
20 and Philadelphia economy as a whole.

21 In fact, I believe that enacting  
22 such a measure is a step that stands to have  
23 a significant impact on the industry.

24 As you know, the opening of the  
25 Pennsylvania Convention Center in the early

1 L & I - 5/25/05

2 '90s has been driving the enhancement and  
3 development of many of our tourist  
4 attractions. And the City of Philadelphia  
5 continues becoming a more prominent American  
6 and international tourist destination.

7 Today Center City has been  
8 re-invigorated and its energetic nightlife is  
9 the envy of many cities.

10 The Convention Center is a hub of  
11 local economic impact. For example, the  
12 Reading Terminal Market, Chinatown,  
13 Philadelphia Academy of Fine Arts, the Kimmel  
14 Center, Constitution Center, the historic  
15 district, the many restaurants and other  
16 attractions are all at least partially  
17 dependent on the success and viability of the  
18 economic engine that is the Convention  
19 Center.

20 Specifically, I would like to  
21 highlight the economic impact that is  
22 realized as a result of the attendings of  
23 three large local shows held each year at the  
24 Convention Center.

25 The most recent Philadelphia

1 L & I - 5/25/05

2 International Auto Show and its 229,800  
3 attendees contributed \$65.5 million to the  
4 local economy, through auxiliary economic  
5 impact such as hotel reservations, dining,  
6 and shopping.

7 Further, the renowned Philadelphia  
8 Flower Show and the 223,516 attendees who  
9 came through the Convention Center doors this  
10 year contributed over \$38.2 million to the  
11 economy, while the Philadelphia Home Show  
12 attended by 80,000 infused over \$13.6 million  
13 into the economy.

14 These numbers are encouraging and  
15 are, as you know, critical to the  
16 Philadelphia economy. Unfortunately, these  
17 numbers have decreased from last year.

18 This is why it is critical that we  
19 take all possible steps to avert or at least  
20 control potentially adverse variables that  
21 can lessen the economic impact of the  
22 Convention Center in years to come.

23 In what seems like an example of  
24 smart business, we often see parking rates at  
25 local facilities rise during these large

1 L & I - 5/25/05

2 infusion of tourists and other visitors into  
3 Philadelphia.

4 This may seem for the garage  
5 operator like smart business on the surface.  
6 However, the temporary increase of parking  
7 rates is one factor that retains the  
8 potential to adversely affect the positive  
9 economic impact of the Convention Center.

10 The problem is very simple. The  
11 increase in parking rates discourages  
12 attendees from extending their stay to enjoy  
13 so many of the amenities that our City has to  
14 offer.

15 The more a visitor must pay to park  
16 and store their car, it logically follows  
17 that the visitor will likely have less  
18 resources to expend on hotel stays, dining,  
19 shopping, entertainment or to visit one of  
20 the many wonderful cultural attractions of  
21 which we are so proud.

22 This legislation is important to the  
23 Convention Center because it would stop our  
24 parking vendors from instituting very  
25 temporary parking rate increases in order to

1 L & I - 5/25/05

2 exploit the visitors and businesses being  
3 generated by the Convention Center and the  
4 surrounding attractions.

5 By making it necessary to keep rates  
6 steady on a month to month basis, I believe  
7 that parking operators would be much less  
8 likely to increase rates during the critical  
9 economic periods marked by increased tourism  
10 activity, fearing other financial losses  
11 during the remainder of each month.

12 The economic impact parking rates  
13 have proven hard to justify in hard numbers  
14 and research other the years. In fact, the  
15 only documented study of non-commuter  
16 behavior as a result of increased parking  
17 rates comes from an increase in 1970 in San  
18 Francisco due to a then newly imposed parking  
19 tax.

20 I can certainly go on, but I don't  
21 want to take up the time. I'll have this  
22 added to the record.

23 And I'd just like to say, parking is  
24 an important factor in the streamlined  
25 tourism center, and that is why I've come

1 L & I - 5/25/05

2 here today.

3 By keeping rates stable by the month  
4 it is very likely that we will avert the  
5 temporary parking fee increases that may very  
6 likely already be adversely affecting the  
7 businesses of the Convention Center.

8 I believe the legislation being  
9 considered today is an important step in our  
10 everlasting mission to enhance Philadelphia's  
11 tourism industry, and therefore produce more  
12 business revenue and tax revenue for the  
13 city.

14 Thank you, Mr. Chairman, and Council  
15 members, for this opportunity to speak with  
16 you today as you consider this legislation.

17 I look forward to continuing to work  
18 with you to promote our growing tourism  
19 industry in Philadelphia.

20 CHAIRMAN MARIANO: Thank you, ma'am.  
21 Paul.

22 MR. STEINKE: Yes. Thank you, Mr.  
23 Chairman. I've been informed by the Chairman  
24 that...

25 Paul Steinke, Reading Terminal

1 L & I - 5/25/05

2 Market Corporation. Thank you.

3 I've been informed by the Chairman  
4 that Council has pressing business, so I will  
5 dispense with my written testimony which  
6 everyone has a copy of.

7 CHAIRMAN MARIANO: Thank you.

8 MR. STEINKE: And I do -- And the  
9 market fully supports this bill. Thank you  
10 very much.

11 CHAIRMAN MARIANO: Mr. Dixon, you  
12 can be just as short.

13 MR. DIXON: I will be equally brief.  
14 I have written testimony to be submitted for  
15 the record. The Parking Authority fully  
16 supports this bill.

17 And would just add that we have  
18 developed an electronic web-based parking  
19 locator by which all private and public  
20 parking facilities can enter their rate  
21 information. And it will be publicly  
22 accessible.

23 And we would be happy to share that  
24 information with the City -- with the  
25 department as their agent, to collect it if

1 L & I - 5/25/05

2 they so desire.

3 Thank you.

4 CHAIRMAN MARIANO: Thank you, Mr.  
5 Dixon.

6 Mr. Lisko.

7 CLERK: Bill 050267, an ordinance  
8 amending Title 4, Subcode "A," The  
9 Philadelphia Administrative Code, to clarify  
10 the types of permits in connection with which  
11 the Department of Licenses and Inspections  
12 may charge fees for providing accelerated  
13 plan reviews and to establish a fee for the  
14 electronic storage of building plans; all  
15 under certain terms and conditions.

16 CHAIRMAN MARIANO: Mr. Haigler. Mr.  
17 Haigler, brief.

18 MR. HAIGLER: I'll be very brief.  
19 In the interest of time, Councilman, we have  
20 submitted our written testimony, and we would  
21 like to have it entered into the record in  
22 its entirety.

23 The gist of what we're proposing  
24 here is to do, one, a technical amendment to  
25 the administrative code, to allow for the

1 L & I - 5/25/05

2 plumbing discipline which was excluded under  
3 the accelerated review process.

4 So what we're saying here is that  
5 any issue under Title 9 or Title 14, any  
6 person who wanted to avail themselves of the  
7 accelerated review process, they will be able  
8 to do so under this amendment.

9 The second amendment under this  
10 proposed bill deals with electronic imaging.  
11 And what we would propose to do there would  
12 be to give the -- to add a nominal surcharge  
13 to the plans that are submitted to the  
14 department for review.

15 And the purpose for that would be so  
16 that we could have this information  
17 electronically stored in an electronic format  
18 for retrieval at some future date, either by  
19 the public or any business entity that would  
20 have need of that information.

21 CHAIRMAN MARIANO: Thank you, Mr.  
22 Haigler.

23 Any other witnesses?

24 (No response.)

25 CHAIRMAN MARIANO: Commissioner, not

1 L & I - 5/25/05

2 to stymie you, but we're under time  
3 constraints. So, if you can make it brief  
4 and give us your testimony, we'll enter it  
5 into the record.

6 COMMISSIONER DECKER: I certainly  
7 will do that.

8 My name is Joan Decker, Commissioner  
9 of the Department of Records. And I'm here  
10 today to support this legislation. It is  
11 very good record-keeping practices that will  
12 very much facilitate improved access to  
13 records by citizens.

14 CHAIRMAN MARIANO: Thank you, ma'am.

15 MR. HAIGLER: Councilman, we would  
16 request a suspension of the rules.

17 CHAIRMAN MARIANO: Suspension of the  
18 rules, Mr. Lisko. Any questions?

19 (No response.)

20 CHAIRMAN MARIANO: Seeing none. All  
21 right.

22 Mr. Lisko, go on to the last and  
23 final one.

24 CLERK: Bill 050342, an ordinance  
25 amending Chapter 10-1800 of The Philadelphia

1 L & I - 5/25/05  
2 Code, entitled "Vicarious Liability for  
3 Student Conduct," by amending the definitions  
4 of Educational Housing District to include  
5 the Eighth Councilmanic District.

6 CHAIRMAN MARIANO: Mr. Turzanski,  
7 since you're a former CIA employee, you get  
8 to go first. You can't top that unless you  
9 were in the NSA.

10 MR. TURZANSKI: Mr. Chairman, thank  
11 you for inviting us.

12 In the interest of time, I  
13 understand the pressures on the committee. I  
14 have submitted our testimony in writing. We  
15 are in support of the bill.

16 We thank the Council for giving us  
17 the opportunity to support the bill, to work  
18 with Councilwoman Miller and all members of  
19 the Council on insuring the best quality of  
20 life for residents and students of our area.

21 CHAIRMAN MARIANO: Thank you, Mr.  
22 Turzanski.

23 Any questions for Mr. Turzanski?  
24 (No response.)

25 CHAIRMAN MARIANO: Seeing none...

1 L & I - 5/25/05

2 Sir.

3 MR. DURHAM: My name is Bill Durham,  
4 consultant for the -- and I have worked with  
5 Councilwoman Donna Reed Miller and members of  
6 her staff.

7 I'm here to support this bill also  
8 and would encourage that the dialogue that is  
9 being held in the community continues to go  
10 forward. It's been very positive.

11 CHAIRMAN MARIANO: Thank you.

12 Sergeant Healy.

13 MR. HEALY: Also in the interest of  
14 time, we've already submitted our written  
15 testimony.

16 CHAIRMAN MARIANO: And we have it.

17 MR. HEALY: Based on a lot of  
18 factors at this point in time, the  
19 Philadelphia Police Department either can't  
20 support or object to the bill at this time.

21 CHAIRMAN MARIANO: That's pretty  
22 good.

23 Any questions for any of these  
24 witness?

25 (No response.)

1 L & I - 5/25/05

2 CHAIRMAN MARIANO: Seeing none...

3 Any other witnesses?

4 Come on up.

5 Go ahead, ladies. You can go first.

6 MS. WHITEHEAD: Good afternoon.

7 CHAIRMAN MARIANO: Pull that a  
8 little closer and state your name for the  
9 record.

10 MS. WHITEHEAD: Yes. Good  
11 afternoon. My name is Faith Whitehead, and  
12 I'm here to ask that City Council support  
13 this bill.

14 I live in the 2100 block of Chew  
15 Avenue. I have college students that live in  
16 the house next door to me.

17 On April the 21st to the 22nd, I  
18 called the police six times. The police came  
19 the first time at 11:45. The police did not  
20 come back out again until almost 2 o'clock in  
21 the morning.

22 I have a 16-year-old daughter that  
23 has to get up to go to school, as well as  
24 activities on Saturday. My daughter is  
25 asthmatic. It's very unfair not only to

1 L & I - 5/25/05

2 myself, as well as the other neighbors in the  
3 neighborhood who are also sick, to have to  
4 tolerate with the noise of the parties  
5 constantly, not during -- not just during the  
6 weekend, but also during the week.

7 They don't put their trash out.  
8 They urinate on your property. And when you  
9 call the police, there's always an excuse  
10 before they can come to your house.

11 I literally had to sit on the phone  
12 and cry before I was able to be able to get  
13 any type of assistance. And that is totally  
14 very unfair, for not just myself, as well as  
15 two neighbors on my block who's also sick.

16 CHAIRMAN MARIANO: You think this  
17 bill will alleviate that problem.

18 MS. WHITEHEAD: This bill... I urge  
19 that the bill be passed. I also urge that  
20 there should zero tolerance with the college  
21 students in the neighborhood because it is  
22 very unfair to the people in the community.

23 It sets a very, very poor message to  
24 our students, to our children, as to what  
25 type of life you should live when you leave

1 L & I - 5/25/05

2 home to go to college. It's a very, very  
3 poor thing.

4 CHAIRMAN MARIANO: Thank you, ma'am.  
5 Ma'am.

6 MS. OLA SMITH: My name is Ola B.  
7 Smith. I reside at 5700 North Woodstock  
8 Street.

9 I am here to support this bill, and  
10 I want to thank Councilman Cohen for  
11 introducing it on the 21st of April, 2005.

12 Also, I had wrote to City Council  
13 the year of June 27, 2002. I wrote to City  
14 Council and asked them if they would  
15 introduce some type of bill like the one that  
16 Nutter had did.

17 I did not get a response from  
18 nobody.

19 I in turn wrote them again about the  
20 same thing, telling them the problems that we  
21 was having in the neighborhood.

22 I myself have been hospitalized  
23 three times from the noise, the carrying on  
24 from LaSalle College.

25 I am a cardiac patient. I have

1 L & I - 5/25/05

2 asthma, and stand up 7/24 trying to take  
3 medication. I cannot live like that.

4 So for the last two weeks have been  
5 the best weeks I have had in 15 years living  
6 there under that circumstance.

7 The students not only get drunk.  
8 They's all over your property. They's turn  
9 it up. I have had my automobile, you know,  
10 vandalized twice. I didn't get reimbursed  
11 for that. I am not just saying that to be  
12 saying it. I have proof. And nobody wants  
13 to look at the case.

14 The conduct that these students do,  
15 I mean, is not tolerable. I mean, not every  
16 student go to LaSalle act that way.

17 But St. Catherine dorm which is  
18 across the street from me, every year they  
19 put in a new crowd, and that crowd is worse  
20 than the other crowd.

21 I don't have a problem with LaSalle  
22 College. I think it's a great university. I  
23 have been there myself, and I have had my  
24 children to go there and get their degree  
25 from LaSalle.

1 L & I - 5/25/05

2 My problem is, this bill that they  
3 have, it should have been in effect long ago.  
4 And since it's in effect, I hope that it will  
5 be, you know, carried out.

6 CHAIRMAN MARIANO: Thank you, ma'am.

7 MS. OLA SMITH: Thank you very much.

8 CHAIRMAN MARIANO: And let me -- For  
9 the record, it was Councilwoman Miller's  
10 bill. Although Councilman Cohen's a great  
11 Councilman, this was Councilwoman Donna  
12 Miller's bill.

13 MS. OLA SMITH: Yeah, but she  
14 introduced it after he did.

15 CHAIRMAN MARIANO: Well, they're  
16 both great Council people.

17 MS. OLA SMITH: And so, I have been  
18 contacting her and contacting her and never  
19 got a response.

20 CHAIRMAN MARIANO: They're like  
21 George Burns and Gracie Allen. They work  
22 together.

23 MS. OLA SMITH: Beg your pardon?

24 CHAIRMAN MARIANO: They're like  
25 George and Gracie. They work together.

1 L & I - 5/25/05

2 MS. OLA SMITH: Well, I'm just the  
3 one that --

4 CHAIRMAN MARIANO: I hear you.  
5 Thank you, ma'am.

6 Ma'am.

7 MS. CONGLETON: Hi. My name is  
8 Collette Congleton, and I live at 5727 North  
9 20th Street.

10 I've had a couple incidents with the  
11 college kids with brawls out in the street  
12 with them. I live right next door to a house  
13 that's housing college students, and they're  
14 just unruly.

15 I don't know what we can do about  
16 them, but everything that I'm going through  
17 with them, everybody is passing the buck.

18 I'm calling the cops. The cops are  
19 coming out, but they're riding by. If I call  
20 them again, and I get a little agitated, then  
21 they'll come back out, and they'll talk to  
22 the students. But everybody's passing the  
23 buck.

24 LaSalle comes out, but nobody's  
25 doing anything. So, we're having a lot of

1 L & I - 5/25/05

2 problems. I have a six-year-old and I move  
3 him from room to room.

4 My first problem with them was on a  
5 Thursday night. Okay. A Thursday night I  
6 shouldn't even have that kind of a problem.

7 The other nights that I had were  
8 like a Tuesday night. I don't really bother  
9 them on the weekends. I let them party as  
10 much as they want to, as long as they can  
11 clean up.

12 But now I'm being threatened. And  
13 that is a problem. The kids are standing in  
14 front of my house like, this is where hmm-hmm  
15 lives because I'm the one that's always  
16 calling the cops, and it's always after 11  
17 o'clock.

18 So, you know, I'm really having a  
19 lot of problems with that. Because  
20 everybody's passing the buck. Nobody is  
21 really trying to solve that problem.

22 CHAIRMAN MARIANO: This should end  
23 it because it worked, and Council Nutter did  
24 it at St. Joe's. This should be the answer  
25 to your problems. I hope. It should be.

1 L & I - 5/25/05

2 MS. CONGLETON: Okay.

3 CHAIRMAN MARIANO: Because now it's  
4 an ordinance, and it gives the police more of  
5 a leverage to go out and do what they got to  
6 do.

7 MS. CONGLETON: Now, that is meaning  
8 LaSalle?

9 CHAIRMAN MARIANO: Yeah, at LaSalle.  
10 This is specifically addressed for L Salle.  
11 So, that's what this bill is right here.

12 MS. CONGLETON: Can I get a copy of  
13 that?

14 CHAIRMAN MARIANO: Sure. Mr. Lisko  
15 will give you one before you leave. Okay?

16 Any questions for these witnesses?

17 (No response.)

18 CHAIRMAN MARIANO: Seeing none, is  
19 there any more witnesses?

20 Mr. Kelley.

21 Thank you, ladies.

22 MR. MILLER: My name is Kelley  
23 Miller, and I am the Past President of the  
24 Ogontz Area Neighbor's Association. And I've  
25 come this afternoon to support this bill.

1 L & I - 5/25/05

2 And I'm not going to read my prepared  
3 statement because of time.

4 CHAIRMAN MARIANO: Thank you.

5 MR. MILLER: But I do have to say  
6 something because I waited all this time, and  
7 my folks are looking at me to make my  
8 presentation.

9 CHAIRMAN MARIANO: Sure.

10 MR. MILLER: I just would like to  
11 say that we have for many years had this  
12 problem with the students at LaSalle. But  
13 the administration of LaSalle has tried to  
14 work with us.

15 Their hands were tied. We think  
16 with this bill, the passage of this bill will  
17 give them the ammunition that they need to  
18 deal with the problem more effectively.

19 We have had a great relationship  
20 with LaSalle University, but we have had  
21 problems with the students who are drinking  
22 and causing problems in the community, and we  
23 have not had an effective tool to deal with  
24 them.

25 And so, now we feel that with this

1 L & I - 5/25/05

2 passage of this legislation, we will be able  
3 to deal with this problem and continue our  
4 relationships with LaSalle University.

5 CHAIRMAN MARIANO: Thank you, sir.

6 Any questions for this witness?

7 (No response.)

8 CHAIRMAN MARIANO: Seeing none,

9 thank you. And that will be it.

10 Except there was a request by the  
11 sponsor for Bill Number 040904 is being held  
12 by the sponsor's request. So that will take  
13 us out of the public hearing.

14 We're going to go into the License  
15 and Inspection public meeting.

16 COUNCILWOMAN MILLER: Councilman.

17 CHAIRMAN MARIANO: Councilwoman

18 Miller, you want to say a statement. Go  
19 ahead. I'm sorry.

20 COUNCILWOMAN MILLER: We have two  
21 bits of testimony to put on record. One is  
22 from a gentleman that couldn't stay. He was  
23 here all morning. And then also one is from  
24 Ed Turzanski from LaSalle University.

25 CHAIRMAN MARIANO: Give them to Mr.

1 L & I - 5/25/05

2 Lisko. Thank you.

3 (Public hearing concluded at 4:40

4 p.m.)

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1 L & I - 5/25/05

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3 COUNCIL OF THE CITY OF PHILADELPHIA  
4 PUBLIC MEETING  
5 COMMITTEE ON LICENSES AND INSPECTIONS

6 - - -

7 Room 400, City Hall  
8 Philadelphia, Pennsylvania  
9 Wednesday, May 25, 2005, 4:40 p.m.

10 - - -

11 BILL 040595 - An Ordinance amending Title 9 of The  
12 Philadelphia Code ("Regulation of  
13 Businesses, Trades and Professions")  
14 by amending Section 9-605 ("Towing")  
15 to prohibit certain towing upon the  
16 establishment of a rotational towing  
17 system; to define the parameters of  
18 the rotational system; and to make  
19 certain technical changes, all under  
20 certain terms and conditions.

21 BILL 040904 - An Ordinance amending Title 9 of The  
22 Philadelphia Code, entitled  
23 "Regulation of Businesses, Trades  
24 and Professions," by adding a new  
25 Chapter requiring dentists to post  
and distribute certain information  
concerning the use of mercury in  
dental procedures, and requiring  
dentists to install systems that  
permit the recycling of mercury  
waste, all under certain terms and  
conditions.

26 BILL 050203 - An Ordinance amending Title 9 of The

27 - - -

28 V A R A L L O Incorporated  
29 Litigation Support Services  
30 1835 Market Street, Suite 600  
31 Philadelphia, Pennsylvania 19103  
32 215.561.2220 215.567.2670

1 L & I - 5/25/05

2 Philadelphia Code, entitled  
3 "Regulation of Businesses, Trades  
4 and Professions," by amending  
5 Section 9-102, entitled "Licenses  
6 and Permits," by providing that no  
7 license or permit shall be issued or  
8 renewed if the applicant is  
9 delinquent in the payment of any  
10 City or School District taxes,  
11 charges, fees, rents or claims, or  
12 is delinquent in the payment of  
13 certain penalties of fines, and by  
14 increasing the fee for dishonored  
15 checks.

16  
17 BILL 050204 - An Ordinance amending Title 4 of The  
18 Philadelphia Code, entitled "The  
19 Philadelphia Building Construction  
20 and Occupancy Code," by amending  
21 Subcode A, Section A-202, entitled  
22 "Duties and Powers of the Code  
23 Official," by providing that no  
24 license or permit required by Title  
25 4 shall be issued or renewed if the  
applicant is delinquent in the  
payment of any City or School  
District taxes, charges, fees, rents  
or claims, or is delinquent in the  
payment of certain penalties or  
fines, all under certain terms and  
conditions.

18 BILL 050266 - An Ordinance amending Title 9 of The  
19 Philadelphia Code, entitled  
20 "Regulation of Businesses, Trades,  
21 and Professions," by amending  
22 Section 9-601, entitled "Garages,  
23 Parking Lots, Sales Lots and  
24 Showrooms," by providing further for  
25 the filing of rates by public  
parking garages, under certain terms  
and conditions.

23 BILL 050267 - An Ordinance amending Title 4,  
24 Subcode "A," The Philadelphia  
25 Administrative Code, to clarify the  
types of permits in connection with

1 L & I - 5/25/05

2 which the Department of Licenses and  
3 Inspections may charge fees for  
4 providing accelerated plan reviews  
5 and to establish a fee for the  
6 electronic storage of building  
7 plans; all under certain terms and  
8 conditions.

9 BILL 050342 - An Ordinance amending Chapter  
10 10-1800 of The Philadelphia Code,  
11 entitled "Vicarious Liability for  
12 Student Conduct," by amending the  
13 definitions of Educational Housing  
14 District to include the Eighth  
15 Councilmanic District.

16

PRESENT:

17

18 COUNCILMAN RICHARD T. MARIANO, Chair  
19 COUNCILWOMAN JANNIE L. BLACKWELL  
20 COUNCILMAN DARRELL L. CLARKE  
21 COUNCILMAN DAVID COHEN  
22 COUNCILMAN FRANK DiCICCO  
23 COUNCILMAN JACK KELLY  
24 COUNCILWOMAN JOAN L. KRAJEWSKI  
25 COUNCILMAN JUAN F. RAMOS  
COUNCILWOMAN BLONDELL REYNOLDS-BROWN  
COUNCILMAN FRANK RIZZO

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1 L & I - 5/25/05

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

4 - - -

5 CHAIRMAN MARIANO: Councilman

6 Clarke.

7 COUNCILMAN CLARKE: Thank you, Mr.

8 Chairman.

9 Mr. Chairman, I move that the  
10 amendment to Bill Number 040595 be approved.

11 COUNCILWOMAN BROWN: Second.

12 CHAIRMAN MARIANO: A motion has been  
13 made to amend Bill 040595. All those in  
14 favor?

15 (Chorus of "ayes.")

16 CHAIRMAN MARIANO: Opposed?

17 (No response.)

18 CHAIRMAN MARIANO: Seeing none, the  
19 bill is amended.

20 COUNCILMAN CLARKE: Mr. Chairman, I  
21 move that Bill Number 040595, as amended, be  
22 reported out of committee with a favorable  
23 recommendation; request for rules suspension  
24 as to allow reading at the next session.

25 (Chorus of "ayes.")

1 L & I - 5/25/05

2 CHAIRMAN MARIANO: It has been  
3 seconded and amended, Bill Number 040595.  
4 There's a motion to approve it as amended.

5 All those in favor?

6 (Chorus of "ayes.")

7 CHAIRMAN MARIANO: Opposed?

8 (No response.)

9 CHAIRMAN MARIANO: Seeing none, it  
10 passes as amended; and for the suspension of  
11 the rules, too.

12 Okay? Next, Councilman Clarke.

13 COUNCILMAN CLARKE: Thank you, Mr.  
14 Chairman.

15 Mr. Chairman, I move for the  
16 adoption of the amendment to Bill Number  
17 050203.

18 CHAIRMAN MARIANO: I have a motion  
19 to amend Bill Number 050203.

20 COUNCILWOMAN BROWN: Second.

21 CHAIRMAN MARIANO: It's been amended  
22 and seconded.

23 All those in favor?

24 (Chorus of "ayes.")

25 CHAIRMAN MARIANO: Opposed?

1 L & I - 5/25/05

2 (No response.)

3 CHAIRMAN MARIANO: Seeing none, the  
4 amendment passes.

5 COUNCILMAN CLARKE: Mr. Chairman, I  
6 move that Bill Number 050203, as amended, be  
7 reported out of committee with a favorable  
8 recommendation; a request for suspension of  
9 the rules as to allow reading at the next  
10 session of Council.

11 COUNCILWOMAN BROWN: Second.

12 CHAIRMAN MARIANO: A motion has been  
13 made and it's been seconded that Bill Number  
14 050203 be passed out of Council with a  
15 favorable recommendation, as amended, and to  
16 suspend the rules.

17 All those in favor?

18 (Chorus of "ayes.")

19 CHAIRMAN MARIANO: Opposed?

20 (No response.)

21 CHAIRMAN MARIANO: Seeing none, it  
22 passes, suspending the rules and amended.

23 COUNCILMAN CLARKE: Mr. Chairman, I  
24 move for the adoption of the amendment to  
25 Bill Number 050204.

1 L & I - 5/25/05

2 CHAIRMAN MARIANO: Motion has been  
3 made to amend Bill 050204.

4 Do we hear a second?

5 COUNCILWOMAN BROWN: Second.

6 CHAIRMAN MARIANO: It's been  
7 seconded.

8 All those in favor of the amendment?

9 (Chorus of "ayes.")

10 CHAIRMAN MARIANO: Opposed?

11 (No response.)

12 CHAIRMAN MARIANO: Seeing none,  
13 050204 is amended.

14 Councilman Clarke.

15 COUNCILMAN CLARKE: Mr. Chairman, I  
16 move that Bill 050204, as amended, be  
17 reported out of committee with a favorable  
18 recommendation; request for suspension of the  
19 rules, as to allow reading at the next  
20 session of Council.

21 CHAIRMAN MARIANO: A motion has been  
22 made. Do I hear a second?

23 COUNCILWOMAN BROWN: Second.

24 CHAIRMAN MARIANO: That Bill 050204,  
25 as amended, be voted out of committee with a

1 L & I - 5/25/05  
2 favorable recommendation and a suspension of  
3 the rules.  
4 All those in favor?  
5 (Chorus of "ayes.")  
6 CHAIRMAN MARIANO: Opposed?  
7 (No response.)  
8 CHAIRMAN MARIANO: Seeing none, it  
9 passes with an amendment and we suspend the  
10 rules.  
11 COUNCILMAN CLARKE: Mr. Chairman, I  
12 move for the adoption of the amendment to  
13 Bill 050266.  
14 CHAIRMAN MARIANO: Motion has been  
15 made to amend Bill 050266. Do I hear a  
16 second?  
17 COUNCILWOMAN BROWN: Second.  
18 CHAIRMAN MARIANO: It's been moved  
19 and seconded.  
20 All those in favor of the amendment?  
21 (Chorus of "ayes.")  
22 CHAIRMAN MARIANO: Opposed?  
23 (No response.)  
24 CHAIRMAN MARIANO: None. It's  
25 amended.

1 L & I - 5/25/05

2 Councilman.

3 COUNCILMAN CLARKE: Mr. Chairman, I  
4 move that Bill 050266 as amended be reported  
5 out of committee with a favorable  
6 recommendation; request for suspension of the  
7 rules, as to allow reading at the next  
8 session of Council.

9 COUNCILWOMAN BROWN: Second.

10 CHAIRMAN MARIANO: Motion has been  
11 made and seconded that Bill 050266, as  
12 amended, be voted out of committee with a  
13 favorable recommendation, and suspension of  
14 the rules.

15 All those in favor?

16 (Chorus of "ayes.")

17 CHAIRMAN MARIANO: Opposed?

18 (No response.)

19 CHAIRMAN MARIANO: Seeing none, it  
20 passes, with an amendment, suspension of the  
21 rules.

22 Councilman Clarke.

23 COUNCILMAN CLARKE: Mr. Chairman, I  
24 move that Bill 050267 be reported out of  
25 committee with a favorable recommendation;

1 L & I - 5/25/05  
2 request for suspension of the rules as to  
3 allow reading at our next session of Council.  
4 COUNCILWOMAN BROWN: Second.  
5 CHAIRMAN MARIANO: Motion has been  
6 made and seconded that Bill 050267 be voted  
7 out of committee with a favorable  
8 recommendation; ask for suspension of the  
9 rules.  
10 All those in favor?  
11 (Chorus of "ayes.")  
12 CHAIRMAN MARIANO: Opposed?  
13 (No response.)  
14 CHAIRMAN MARIANO: Seeing none, it  
15 passes and with a suspension of the rules.  
16 Councilman Clarke, the last one.  
17 COUNCILMAN CLARKE: Mr. Chairman, I  
18 move that Bill 050342 be reported out of  
19 committee with a favorable recommendation;  
20 request for suspension of the rules as to  
21 allow reading at the next session of Council.  
22 COUNCILWOMAN BROWN: Second.  
23 CHAIRMAN MARIANO: Motion has been  
24 made that Bill 050342 -- it has been  
25 seconded -- that it be voted out of committee

1 L & I - 5/25/05  
2 with a favorable recommendation and for a  
3 suspension of the rules.  
4 All those in favor?  
5 (Chorus of "ayes.")  
6 CHAIRMAN MARIANO: All those  
7 opposed?  
8 (No response.)  
9 CHAIRMAN MARIANO: Seeing none, that  
10 passes.  
11 This closes the public meeting of  
12 License and Inspection.  
13 (Public meeting concluded at 4:45  
14 p.m.)  
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CERTIFICATE

I HEREBY CERTIFY that the proceedings and evidence are contained fully and accurately in the stenographic notes taken by me upon the public hearing and public meeting of The Philadelphia City Council, taken on May 25, 2005, and that this is a true and correct transcript of same.

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DAVID A. DEIK, RPR and  
Commissioner of Deeds

(The foregoing certification of this transcript does not apply to any reproduction of the same by any means, unless under the direct control and/or supervision of the certifying reporter.)