

Committee on Licenses and Inspections
February 16, 2021

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON LICENSES AND INSPECTIONS

Remote location using Microsoft® Teams
Tuesday, February 16, 2021
10:00 a.m.

PRESENT:

COUNCILMAN BOBBY HENON, CHAIR
COUNCILMAN ALLAN DOMB, VICE-CHAIR
COUNCILWOMAN KATHERINE GILMORE RICHARDSON
COUNCILMAN KENYATTA JOHNSON
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN DAVID OH
COUNCILMAN MARK SQUILLA

BILL: 200618

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2 COUNCILMAN HENON: Good
3 morning, Philadelphia. Good morning,
4 colleagues, and good morning to all who
5 have joined us here for the Committee of
6 Licenses and Inspections today, February
7 16th.

8 I understand that state law
9 currently requires that the following
10 announcements be made at the beginning
11 of every remote public hearing as
12 follows: Due to the current public
13 health emergency, City Council
14 Committees are currently meeting
15 remotely. We are using Microsoft Teams
16 to make these remote hearings possible.

17 Instructions for how the public
18 may view and offer public testimony at
19 public hearings of Council Committees
20 are included in the public hearing
21 notices that are published in the Daily
22 News, Inquirer, Legal Intelligencer
23 prior to the hearings and can also be
24 found on PHLCouncil.com. I note that
25 the hour has come.

1 Mr. Perzel, would you please
2 call the roll and take attendance. And
3 Members that are in attendance, would
4 you please indicate that you are present
5 when your name is called. Also, please
6 say a few brief words when responding to
7 the image that will be displayed on your
8 screen when you speak.

9 Mr. Perzel.

10 THE CLERK: Councilmember Allan
11 Domb.

12 COUNCILMAN DOMB: Good morning,
13 Mr. Chair and colleagues and the public.
14 Good morning.

15 THE CLERK: Councilmember Mark
16 Squilla.

17 COUNCILMAN SQUILLA: Good
18 morning, Mr. Chairman and colleagues.
19 Present.

20 THE CLERK: Councilmember
21 Kenyatta Johnson.

22 COUNCILMAN JOHNSON: Present.
23 Good morning, colleagues. Good morning,
24 everyone.

25 THE CLERK: Councilmember David

Committee on Licenses and Inspections
February 16, 2021

Page 4

1 Oh.

2 COUNCILMAN OH: Good morning,
3 Chairman. Good morning, colleagues.

4 THE CLERK: Councilmember
5 Curtis Jones, Jr.

6 COUNCILMAN JONES: Good
7 morning, Mr. Chairman. Good morning,
8 colleagues. Good morning, viewing
9 public.

10 THE CLERK: And, Councilwoman
11 Katherine Gilmore Richardson.

12 COUNCILWOMAN GILMORE
13 RICHARDSON: Good morning, Mr. Chair.
14 And good morning, colleagues.

15 THE CLERK: Councilman Henon.

16 COUNCILMAN HENON: Good morning
17 to all my colleagues. I want to thank
18 you. A quorum of the Committee is
19 present and this hearing is now called
20 to order. This is a public hearing of
21 the Committee on Licenses and
22 Inspections regarding Bill No. 200618.

23 Mr. Perzel, would you please
24 read the title of the bill.

25 THE CLERK: Bill No. 200618,

1 amending Chapter 9-4200 of The
2 Philadelphia Code, entitled "Donation
3 Bins," to modify the locations at which
4 donation bins shall be permitted, all
5 under certain terms and conditions.

6 COUNCILMAN HENON: Thank you,
7 sir.

8 Before we begin to hear
9 testimony from the witnesses that we
10 have for today, everyone who has been
11 invited to the meeting to testify should
12 be aware that this is a public hearing
13 and that this hearing is being recorded.
14 Because the hearing is public,
15 participants and viewers have no
16 reasonable expectation of privacy.
17 Continuing to be in this meeting, you
18 are consenting to being recorded.

19 Additionally, prior to
20 recognizing Members for the questions or
21 Committees they have for any of the
22 witnesses, I will note for the record at
23 this time we will use the chat feature
24 available in Microsoft Teams to allow
25 Members to signify that they wish to be

1 recognized. In order to comply with the
2 Sunshine Act, the chat feature must only
3 be used for this purpose.

4 Before we call the first
5 witness for Bill No. 200618, would any
6 of my colleagues like to make an opening
7 comment or remark regarding this
8 ordinance?

9 (No response.)

10 COUNCILMAN HENON: With that
11 being none, Mr. Perzel, would you please
12 call the witness we have to testify with
13 us here this morning.

14 THE CLERK: Sarah Adamo.

15 MS. ADAMO: Good morning,
16 Chairperson Henon and members of the
17 Licenses and Inspections Committee. My
18 name is Sarah Adamo and I'm the
19 Legislative Affairs Manager of the
20 Department of Licenses and Inspections.
21 I'm here to provide testimony on Bill
22 No. 200618, which if enacted, will amend
23 Chapter 9-4200 of The Philadelphia Code,
24 entitled "Donation Bins," to modify the
25 locations at which donation bins shall

1 be permitted, under all certain terms
2 and conditions.

3 If enacted, the bill will
4 prohibit donation bins from being placed
5 on any property. The Department of
6 Licenses and Inspections is prepared to
7 make adjustments to our existing
8 operating procedure to accommodate the
9 proposed change. The Department will on
10 a complaint basis inspect the property
11 and if a donation bin is found will cite
12 the property owner and the bin owner, if
13 known accordingly.

14 The Department of Licenses and
15 Inspections has no objection to this
16 bill and is prepared to enforce its
17 provision should it become law. Thank
18 you for the opportunity to provide the
19 Department's testimony. I'm happy to
20 answer questions at this time.

21 COUNCILMAN HENON: Thank you,
22 Ms. Adamo, for your testimony. Let me
23 start off by saying this has been an
24 ongoing problem and an issue for, I
25 guess, almost the past six years. And I

1 understand the concern of an outright
2 ban, a ban that may go a little too far.

3 But here's the problem: Right
4 now, the Code has very reasonable code
5 requirements that simply are not being
6 met. Bins have to be placed on private
7 property. Bins have to be away from
8 property lines. Bin owners need to have
9 written consent from a property owner to
10 place bins. Bins have to have a company
11 contact information. Bins have to be
12 maintained by the companies that own
13 them. They can't be covered with
14 graffiti and they need to be regularly
15 serviced to avoid shortdumping.

16 None, I mean none of this
17 happens. All you need to do is drive
18 around the City and it's been almost six
19 years since we created the regulations
20 from the beginning. The reason why we
21 have codes, the reasons why we have
22 regulations, the reasons why we as a
23 legislative and policy body go back and
24 take a look at some of the issues and
25 concerns, especially when it comes to

1 workers' rights and other adjustments is
2 because it is a problem. And this is
3 severely adding to the fall of the
4 quality of life that we have in some of
5 our neighborhoods.

6 So none of these happen. It's
7 not that difficult. We do it with
8 property managers, where they have to
9 have a managing agent in our Property
10 Maintenance Code. Here it's similar,
11 you have to have an authorized agent.
12 Nobody knows who that is. You try to
13 make phone calls, you can't get through
14 to anybody. It becomes a breathing
15 ground for a shortdumping. Everybody
16 just follows the lead and it just
17 mountains into something that we should
18 not be proud of.

19 Same thing when we have these
20 bandit signs on our poles. We addressed
21 the same exact issue with bandit signs
22 and no way to contact anybody, so what
23 did we do. We started holding the
24 companies a little more accountable. We
25 started holding the people who were

1 hanging the signs a little more
2 accountable to address these issues.
3 And it was a priority. So these
4 companies, they don't create jobs in the
5 City of Philadelphia.

6 The donation items are usually
7 sold for profits overseas. There's no
8 benefit to allowing these exist under
9 the current conditions. The Department
10 of Licenses and Inspections and Streets
11 don't have a clear enforcement strategy.
12 They don't have the time to chase down
13 owners of these bins and get them
14 removed.

15 Why should it be the
16 responsibility of the citizens in our
17 neighborhoods in our community groups?
18 That's a good question. Why? I receive
19 hundreds of calls. These companies had
20 six years to get their act together and
21 they haven't. These bins should be
22 prohibited unless we can figure out a
23 way to hold them accountable and figure
24 out a way to have a serious and priority
25 enforcement, which we have not.

1 If we wait longer, then it will
2 be a decade. We deserve better. So
3 that will be my opening statement on
4 these bills. And I am in response to my
5 community and other calls I get
6 throughout the City of Philadelphia
7 regarding these bins. I think it's a
8 disgrace and we deserve better.

9 So with that being said, I'm
10 going to open it up to any Committee
11 members that wish to make a statement
12 and/or have any suggestions or concerns.

13 COUNCILMAN JONES:
14 Mr. Chairman.

15 COUNCILWOMAN GILMORE
16 RICHARDSON: Mr. Chair.

17 COUNCILMAN HENON:
18 Councilmember Jones.

19 COUNCILMAN JONES: Thank you,
20 Mr. Chairman, for bringing this
21 important issue referencing the quality
22 of life and innercity neighborhoods.
23 You don't have to travel far in my
24 District to see these bins almost
25 parachuted in without permission,

1 without maintenance. And then when
2 people see them, often they climb in,
3 pull out clothing, leave the clothing
4 discarded on the ground around it to
5 find articles that they want, which does
6 say that there is a need for donations,
7 but not in this way.

8 And what bothers me is that I
9 remember six years ago when we tried to
10 give the benefit of the doubt to these
11 companies, to try to give them a chance
12 to clean up their act literally, but
13 what I found to be true is that when you
14 go in certain neighborhoods and I
15 remember dropping my daughter off to
16 college, Howard University, and some of
17 the people that knew D.C. said to me, do
18 not drop your daughter in a neighborhood
19 that has car bar locks, gates around
20 their windows or overflowing donation
21 bins, because that is an area that is
22 underserved and is going to be a
23 problem.

24 I do not like that sign being
25 hung in many of our neighborhoods when

1 these unkept bins are allowed to send
2 that signal to people who might invest,
3 may buy a home, may want to eat at a
4 restaurant in these respective
5 neighborhoods.

6 So I applaud you, Mr. Chairman,
7 for putting your foot down and dealing
8 with this issue. Thank you,
9 Mr. Chairman.

10 COUNCILMAN HENON: Thank you,
11 Councilmember Jones. And as you're
12 speaking, that's pretty powerful when
13 people are looking for homes and looking
14 for a place that they want to have for a
15 while and that is one of the telling
16 signs, donation bins. To me, it's
17 willful neglect and disregard to
18 anybody who lives in that neighborhood
19 and we deserve better.

20 I have a question for
21 Ms. Adamo, if I can. Sarah, do we know
22 as a Department how many violations we
23 have issued over the past six years for
24 illegally placed donation bins, and do
25 we have any submission of any kind of

1 authorized agent on behalf of the
2 company for these donation bins?

3 MS. ADAMO: So the total number
4 of violations I don't have handy, but I
5 have already asked our team to pull a
6 report on that so I should have that
7 very shortly. There are about five
8 different violations that we could have
9 issued under the current code. So from
10 the time that the bill in 2015 was
11 enacted to now, I can pull a report on
12 that information and get that to you
13 very quickly.

14 I'm not quite sure what you
15 mean by the authorized agent. Can you
16 explain that part of the question a
17 little bit?

18 COUNCILMAN HENON: Okay. So in
19 the current regulations which is law, an
20 owner has to have an authorized agent so
21 we can contact. And I'm not sure if
22 it's similar to when somebody has an
23 investment property and you have these
24 neglectful and unscrupulous slumlords
25 in our City of Philadelphia who totally

1 disregards our citizens and their
2 communities, which destroys our property
3 value, which we have proven nearly 20
4 percent in a defined area when there's a
5 lot of violations. But there is a
6 managing agent requirement for a
7 property owner and/or somebody who's
8 maintaining that property or some sort
9 of point of contact.

10 You can't get a hold of anybody
11 on these things. It is very similar to
12 the bandit signs, but just much more
13 egregious in a larger capacity. So do
14 we have a current contact for any of
15 these companies and do we have a list of
16 all the companies because they're just
17 popping up all over the place?

18 MS. ADAMO: Right. So for
19 properties that are owned by
20 out-of-state owners, they are required
21 to submit information about somebody who
22 is managing the property that is local.
23 So that's an existing code requirement
24 and that would be something that we
25 would have on hand. There are also

1 other pieces of legislation that have
2 either recently been introduced or in
3 the works that would require us to
4 collect additional contact information
5 when owners are LLCs or any other type
6 of ownership other than a natural
7 person, so that should also help us get
8 to the bottom of some of the owners that
9 are kind of unreachable to us.

10 The other question that you had
11 was if we know who these bin operators
12 are and how many of them there are.
13 Unfortunately, we don't know because the
14 bins that are legally placed right now,
15 they don't require permits, they don't
16 require licenses so there's really no
17 mechanism for these bin operators to
18 have been in our system prior to this
19 time. So if a bin is legally placed,
20 even if it's maintained perfectly and
21 abiding by all the rules, L&I simply
22 doesn't know who they are. We don't
23 have that information in our database.

24 COUNCILMAN HENON: We also
25 don't know if they are playing by the

1 rules. It's just that they are not
2 being inspected and not required to.

3 Chair recognizes Councilman
4 Johnson.

5 COUNCILMAN JOHNSON: Yes.
6 Thank you, Mr. Chair.

7 I just had a point of
8 information from Sarah if she can
9 clarify. So why aren't these companies
10 regulated to place these bins on City
11 streets and properties? And the reason
12 why I say streets, because I know
13 there's one in Grays Ferry that's not on
14 private property. It's on the side of
15 the street and that's the one I get
16 complaints about in South Philadelphia.

17 And so, is there a reason why
18 there isn't a permitting process so we
19 can actually really regulate and provide
20 oversight?

21 MS. ADAMO: I'm not sure if
22 there's a reason why there isn't a
23 permit process. But just based on the
24 way the Code currently reads, you don't
25 need a permit. You don't need a

1 license. You just need to follow the
2 set of rules.

3 Right now one of the rules
4 that's very clear is that they are not
5 permitted on the street. So our current
6 operating procedure is that if we get a
7 complaint about a bin that's on the
8 street, we would go out and inspect. It
9 would be our Vending Unit that goes out.
10 If we confirm that it is there, it's on
11 the street which is not permitted, we
12 would place a sticker on it. It says,
13 we were here on this date, you have five
14 days to remove your property from the
15 street. Otherwise, the City can take
16 it.

17 The ones that are on the
18 street, we do have to work with the
19 Streets Department to have those
20 removed, but we do have an existing
21 process. The ones that are within
22 property lines, that would be entirely
23 L&I that would handle those.

24 COUNCILMAN JOHNSON: Mr. Chair,
25 I just had a couple other questions and

1 statements and then that's it.

2 Just one, if you can provide
3 data where the complaints are coming
4 from, the actual companies that are
5 putting these bins all across the City
6 of Philadelphia? I have had complaints
7 in South Philly as recently as last
8 month. I have seen them and they are an
9 eyesore, so I do admit to that.

10 I guess partially my slight
11 concern about the total ban is simply
12 for the fact that if these are
13 charitable services that help those in
14 need, just want to make sure we're
15 sending a total message of not being
16 empathetic or sympathetic to those most
17 in need.

18 But I do recognize your overall
19 focus on the quality of life of our
20 neighborhoods and that we're giving
21 people the opportunity to engage in
22 these charitable acts. But if they're
23 not doing it in a responsible way, then
24 I can concur that then obviously they
25 shouldn't be doing business in our City.

1 If we go down this path, I
2 would just ask that you and your team
3 figure out how we beef up our efforts
4 rather it's for Salvation Army or the
5 credible organizations that do take
6 donations that are provided to
7 individuals who are in need. And so, I
8 will be voting yes to get it out of
9 Committee, but I do want just some
10 additional data in terms of who the
11 players are, the level of complaints
12 that we have been receiving. But we
13 definitely don't want to bring down the
14 quality of life in our neighborhoods.

15 I just want to make sure the
16 wider public knows in the event that
17 this ban goes through, which I'm pretty
18 sure it is going to do because I know
19 you do your homework, Mr. Chairman, that
20 we are still in the business of helping
21 those most in need. We're still in the
22 business of providing options for those
23 charitable organizations that want to
24 support people. But at the end of the
25 day if they're not doing it in good

1 faith in terms of how they do business
2 here in the City of Philadelphia, then
3 they shouldn't have that opportunity if
4 it has the impact on the quality of life
5 of our neighborhoods.

6 COUNCILMAN HENON: Thank you,
7 Councilmember Johnson. And I totally
8 agree with you.

9 I would love for somebody to
10 say, hey, we are here and we are
11 accepting clothing for the betterment of
12 our local people, like credible
13 organizations like the Salvation Army
14 and Good Will. They have physical shops
15 and they have bins, I believe, at their
16 locations as drop-offs, which is to your
17 point serving the needs of folks in our
18 communities.

19 When we had the hearing six
20 years ago, they were talking about
21 whenever they cleaned it up, whoever
22 cleaned it up, these bins just like
23 putting them in a (inaudible) and
24 sending them out, they didn't even wash
25 them. I would love to keep it local and

1 have these conversations.

2 Even with our dumpsters, and
3 maybe this is directed more to
4 Ms. Adamo, even our dumpsters have
5 medallions which are registered and
6 recorded. So maybe some of these
7 conversations, Councilman, we can have
8 once it gets out of Committee. But we
9 need to send a message that we're
10 serious and these outfits coming in here
11 and exploiting our neighborhoods and
12 creating shortdumping grounds is
13 unacceptable. I mean, unacceptable.
14 They're only supposed to have two. They
15 got like four. It's overflowed.

16 We can't get in contact with
17 anybody. And next thing you know, TVs
18 and mattresses and anything else and
19 construction debris is being dumped
20 right on our public's right-of-way and
21 private property where we're not even
22 sure what the arrangement is because we
23 don't check. So that's all I have on
24 this stuff. I think you get my point on
25 where it is. And again, I'm responding

1 to the people I represent. I'm
2 responding to the citizens of the City
3 of Philadelphia.

4 Any other Members have any
5 other questions? Chair recognizes
6 Councilmember Oh.

7 COUNCILMAN OH: Thank you very
8 much. I --

9 COUNCILWOMAN GILMORE

10 RICHARDSON: Mr. Chair. Mr. Chair.
11 Mr. Chair.

12 COUNCILMAN OH: -- think
13 Councilmember Gilmore Richardson raised
14 her hand first.

15 COUNCILMAN HENON: I'm sorry.
16 I apologize. I did not see that.

17 Chair recognizes --

18 COUNCILMAN OH: If I can be
19 next, that will be great. Thank you.

20 COUNCILMAN HENON: --
21 Councilmember Gilmore Richardson. My
22 apologies.

23 COUNCILWOMAN GILMORE

24 RICHARDSON: No problem. Thank you so
25 much, Mr. Chair. I just wanted to echo

1 the sentiments of my colleagues relative
2 to the donation bins, and thank you for
3 the homework that you've done on this
4 issue.

5 My concern I think was
6 addressed in the line of questioning
7 from my colleague Councilmember Johnson,
8 was that I need to know if we have a
9 registry or list of all of these
10 locations throughout the City, because
11 if this legislation passes, then the
12 donation bins would be banned.

13 So who would then be
14 responsible for removing these bins from
15 the City? And if the City had to do so,
16 how would we recoup any funds that we
17 have to utilize in order to remove them?
18 And then secondly, my concern was around
19 the Good Will stores and also the
20 Salvation Army.

21 I remember years ago, at least
22 35 years ago, my mom would go shopping
23 on Kensington or Frankford Avenue, and
24 there was a large thrift store there at
25 an old supermarket, and they would keep

1 some of their bins outside. So I just
2 wanted to ensure that this would not
3 impact those type of stores, and those
4 are my only questions.

5 Thank you so much, Mr. Chair.

6 COUNCILMAN HENON: Thank you,
7 Councilmember. And I appreciate you
8 talking about that publicly because that
9 is some of the conversation that we've
10 had leading up to these hearings, and no
11 better way to talk about your own
12 experience. So thank you so much.

13 COUNCILMAN HENON: Chair
14 recognizes Councilmember Oh.

15 COUNCILMAN OH: Thank you very
16 much, Chairman.

17 I think this Committee is
18 expressing pretty much its knowledge of
19 this issue. And I will be voting in
20 favor of this legislation, but I too am
21 hoping that there will be some
22 amendments and other opportunities
23 because of my concern as well that a ban
24 throughout the City may be too large of
25 a response when, in fact, the issue is

1 one of enforcement.

2 However, the enforcement is
3 difficult because in speaking to some of
4 the locations where these bins have
5 ended up, for example, some of the
6 pharmacies and supermarkets, they've
7 expressed that it's not their bin and
8 they didn't place it there, somebody
9 placed it there. Sometimes they don't
10 even have contact information on the
11 bins. There might be donation. And, in
12 fact, as Chairman you said, they're not
13 charitable organizations. They are
14 for-profit organizations. And so, I
15 think that is a challenge for L&I.

16 Somebody is picking this stuff
17 up. They don't come often, but there is
18 some reason why they took the time and
19 trouble to place this there. And again,
20 if we cannot come up with something,
21 unfortunately we may have to narrow it
22 and make it very specific about this
23 exact type of bin, but I echo the
24 sentiments of everybody else. The
25 community does not want it. It's out of

1 control. The people who own the
2 property cannot control it.

3 Where does the City -- who do
4 they fine, who do they enforce it. And
5 if it becomes a City expense to start
6 picking this stuff up and exposing of
7 it, that's yet another issue of bad
8 behavior that cost taxpayers money they
9 shouldn't spend.

10 Thank you very much, Chairman.

11 COUNCILMAN HENON: Thank you,
12 Councilmember.

13 It almost reminds me of
14 somebody just squatting for profit and
15 not being -- it's out of control.
16 There's a lot of gas stations, little
17 strip malls that are --

18 COUNCILMAN JOHNSON:

19 Mr. Chairman.

20 COUNCILMAN HENON: Yes.

21 COUNCILMAN JOHNSON: I want to
22 also thank you for educating me on this
23 process because I had no idea it was
24 for-profit. So how is that a charity if
25 it's for-profit, so that part I didn't

1 know coming into this, separate from
2 addressing it from a quality of life
3 standpoint. Because we know
4 organizations such as Good Will,
5 organizations such as the Salvation
6 Army, there's also another organization,
7 there's a Veterans organization that I
8 actually donate my clothes to, right, in
9 memory and support of my dad. All of
10 those three credible organizations are
11 for-profit. And so, that's very helpful
12 information. I had no idea. So that
13 also adds toward my support for this
14 bill. Had no clue it was for-profit.

15 COUNCILMAN OH: Quick point of
16 order, Mr. Chairman. I would just like
17 to explain how that works.

18 COUNCILMAN HENON: Councilman
19 Oh.

20 COUNCILMAN OH: So apparently,
21 Councilmember Johnson, they collect all
22 of this clothing, sneakers, pants,
23 shirts, blue jeans and it's sold by the
24 ton overseas. There's actually an
25 overseas market, you just throw all of

1 this stuff in and they purchase it, it's
2 cheap. And then they'll go through it
3 and see what they can kind of resell.
4 And just like your tie-dye prewashed
5 jeans, there's a market for this
6 apparently. It was shocking to me. But
7 people are so clever.

8 Thank you, Mr. Chairman.

9 COUNCILMAN HENON: Thank you,
10 Councilmember.

11 Chair recognizes Councilmember
12 Domb.

13 COUNCILMAN DOMB: Thank you,
14 Mr. Chair, and thanks for your work on
15 this issue. I think we're all getting
16 educated.

17 I usually do go myself to
18 Salvation Army or Good Will. Maybe if
19 the City could actually let people know
20 those nonprofits where they can donate
21 their things to, I think people actually
22 believe when they donate their things,
23 it's to a nonprofit. I don't think
24 anyone really understood that these
25 places were for-profit. So whatever we

1 can do to support the Salvation Army,
2 Good Will and other nonprofits, we
3 should do.

4 Even to the point of I'd love
5 to see us put up a website and have
6 their locations on the website, so
7 people will know all around the City
8 where you go for the Salvation Army or
9 where you go for Good Will, and this way
10 everyone has knowledge of where to
11 donate things to. So thank you for your
12 work on this and whatever we can do to
13 help. Thanks.

14 COUNCILMAN HENON: Thank you,
15 Councilmember Domb.

16 Does any other Member have any
17 other questions for Ms. Adamo?

18 (No response.)

19 COUNCILMAN HENON: Well, I
20 thank you for your participation. Thank
21 you, Sarah, for your --

22 COUNCILMAN SQUILLA:
23 Mr. Chairman.

24 COUNCILMAN HENON: Yes.

25 COUNCILMAN SQUILLA:

1 Mr. Chairman, Mark Squilla, real quick.

2 Ms. Adamo, would you think too,
3 if possible, if it was permitted or a
4 permit was required, a license was
5 required, we would be able to have
6 contact information for things like
7 these?

8 MS. ADAMO: I think that would
9 certainly help. But in the end, we're
10 still going to have the problem of the
11 bins that don't get the permit or don't
12 get the license, we still wouldn't have
13 the contact information for those and
14 those would be the problematic ones. So
15 it would help. I don't think it would
16 solve the problem though.

17 COUNCILMAN SQUILLA: Is it
18 possible if people don't have permits or
19 licenses and you can't reach out to
20 them, that they can be confiscated?

21 MS. ADAMO: Yes, that's already
22 built into the bill. We can do that now
23 and that part of the Code section will
24 remain even if this bill is passed. So
25 the way the enforcement works is that it

1 is primarily complaint basis.

2 So if we get a complaint, L&I
3 goes out. If we determine that the bin
4 is not there legally, we place a sticker
5 on it. The owner is really responsible
6 for the maintenance of their own lot, so
7 the owner is responsible for removing
8 the bin. If they do not, then a
9 violation is issued to the owner of the
10 property and the owner of the bin if we
11 know it.

12 So if the bin information is
13 printed on the side of the bin, we know
14 who the operator of that bin is, then we
15 would issue a violation to them as well.
16 If it's not removed, L&I does have the
17 authority to remove it. Right now with
18 the legislation the way it is, there's
19 not a lot of bins that need to be
20 removed because a lot of time it's a
21 property maintenance issue. It's
22 something that we issue a violation, we
23 tell them to clean it up, they clean it
24 up. It's a cycle.

25 But if it were to be a complete

1 ban, there would be a lot of bins that
2 would need to be removed, so it would be
3 a very large effort. And we would also
4 need to consider where these bins are
5 going to be stored once they're removed
6 because they are very large. So all
7 that to say, L&I can remove them, but it
8 would be a very large effort.

9 COUNCILMAN SQUILLA: Thank you.

10 COUNCILMAN HENON: And,
11 Councilman Squilla, I think as I had
12 mentioned in passing earlier, dumpsters
13 have medallions. That's a registry and
14 that's revenue for administrating the
15 cost of enforcement if a department
16 chooses to enforce it. I'm not saying
17 that's directed solely at L&I. But once
18 you get a violation, whether it's a CVN
19 or an NOV and you have five days, then
20 maybe L&I can and could remove it. But
21 typically, it would get kicked over to
22 the Streets Department but it's not a
23 priority for the Streets Department, and
24 I don't think they have the capacity at
25 this time to do that.

1 And if you look around, hence
2 the purpose of this bill and/or the
3 reason for this discussion is because
4 nothing is happening anywhere. Nothing
5 is happening anywhere. So when do you
6 raise attention to this issue is -- so I
7 think you're on point about some sort of
8 registry or if it's the will of Council
9 for an outright ban, then so be it. But
10 this conversation isn't going to end.

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

13 COUNCILMAN HENON: Chair
14 recognizes Councilmember Gilmore
15 Richardson. Would you like to be
16 recognized?

17 COUNCILWOMAN GILMORE
18 RICHARDSON: Yes. Thank you, Mr. Chair.

19 I just wanted to follow up on
20 the question from Councilmember Squilla.
21 To his point, if Sarah could detail how
22 often L&I has done this level of
23 enforcement that she just described
24 since the last bill passed just for the
25 record, Mr. Chair.

1 MS. ADAMO: I've already asked
2 our team to pull a report on that. I
3 would need to have that report in hand
4 before I can give an accurate answer on
5 that. But they are working on that, and
6 I will make sure that I pass that on as
7 soon as we have it.

8 COUNCILWOMAN GILMORE

9 RICHARDSON: Okay. Thank you.

10 And thank you so much,
11 Mr. Chair.

12 COUNCILMAN HENON: Thank you,
13 Councilmember.

14 Are there any other questions
15 or comments from members of the
16 Committee? I'm looking at the chat.

17 (No response.)

18 COUNCILMAN HENON: If not,
19 Ms. Adamo, thank you so much for your
20 testimony and participating in today's
21 hearing. I look forward to some of the
22 data that we've requested so we can take
23 a look at those data sets and figure out
24 how we proceed from here. So thank you
25 so much.

1 MS. ADAMO: Thank you,
2 Councilmember.

3 COUNCILMAN HENON: This will
4 conclude the hearing and we'll go into
5 our public meeting. There being no
6 further questions from members of the
7 Committee and no other witnesses to
8 testify, I will ask if there's anyone
9 present in this hearing whose name that
10 we have failed to call that wishes to
11 offer testimony on the bill here today
12 to be considered?

13 (No response.)

14 COUNCILMAN HENON: Hearing
15 none, I want to thank Ms. Adamo for
16 participating as our witness in today's
17 hearing. We value your opinions. And
18 we invite all the panelists of witnesses
19 to please disconnect from the meeting
20 before we go into our public meeting.
21 We will now pause for a brief moment for
22 the proceedings to briefly wait for the
23 participant to exit, which I believe has
24 happened. So this concludes our public
25 hearing for the Committee.

1 We will now go into our public
2 meeting and consider the action to be
3 taken on the bill that is heard before
4 the Committee today. We're going to
5 reconvene right now.

6 We will now ask, Mr. Perzel,
7 will you please call the roll and take
8 attendance of the Members. And again,
9 please indicate that you are present
10 when your name is called. Also, say a
11 few brief words when responding so that
12 your image will be displayed on the
13 screen when you speak.

14 Mr. Perzel.

15 THE CLERK: Councilmember Allan
16 Domb.

17 COUNCILMAN DOMB: Thank you,
18 Mr. Chair. Present.

19 THE CLERK: Councilmember Mark
20 Squilla.

21 COUNCILMAN SQUILLA: Good
22 morning, everyone. Present.

23 THE CLERK: Councilmember
24 Kenyatta Johnson.

25 COUNCILMAN JOHNSON: Present.

1 THE CLERK: Councilmember David

2 Oh.

3 COUNCILMAN OH: I am still
4 present, Mr. Chairman and colleagues.

5 THE CLERK: Councilmember
6 Curtis Jones.

7 COUNCILMAN JONES: Present.

8 THE CLERK: Councilmember
9 Katherine Gilmore Richardson.

10 COUNCILWOMAN GILMORE

11 RICHARDSON: I'm present.

12 THE CLERK: Councilman Henon.

13 COUNCILMAN HENON: I am
14 present. And I want to thank you all
15 for attending the hearing and
16 participating. We will now go into our
17 public hearing.

18 The Chair recognizes
19 Councilmember Domb for a motion on Bill
20 No. 200618.

21 COUNCILMAN DOMB: Thank you,
22 Mr. Chair.

23 I move that Bill No. 200618 be
24 reported from this Committee with a
25 favorable recommendation and I further

1 move that the rules of Council be
2 suspended to permit first reading of
3 this bill at the next session of
4 Council.

5 (Duly seconded.)

6 COUNCILMAN HENON: It has been
7 moved and properly seconded that Bill
8 No. 200618 be reported from Committee
9 with a favorable recommendation and
10 further move that the rules of Council
11 be suspended to permit the first reading
12 of this bill at our next session of
13 Council.

14 All those in favor of the
15 motion will signify by saying aye.

16 (Aye.)

17 COUNCILMAN HENON: The ayes
18 have it. The motion carries. This
19 concludes the -- oh, so this will be
20 read at our next session of Council as I
21 had stated, and this will conclude the
22 business before the Committee of Public
23 Property and Public Works.

24 And I want to thank you all
25 again for your attendance and thank you

1 for having the conversation in looking
2 into this on behalf of all the citizens
3 of the City of Philadelphia. Thank you
4 so much, colleagues. Have a great day
5 and be safe.

6 (Committee on Licenses and
7 Inspections concluded at 10:40 a.m.)

C E R T I F I C A T I O N

I, hereby certify that the
proceedings and evidence noted are contained
fully and accurately in the stenographic
notes taken by me in the foregoing matter,
and this is a correct transcript of the
same.

Court Reporter - Notary Public

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

Committee on Licenses and Inspections
February 16, 2021

Page 1

A	allow 5:24	aware 5:12	10:21 11:7	Chair 1:10	clarify 17:9	Committees	9:22 14:21
a.m 1:6 40:7	allowed 13:1	aye 39:15,16	11:24 12:21	3:13 4:13	clean 12:12	2:14,19	15:9,14
abiding 16:21	allowing 10:8	ayes 39:17	13:1,16,24	11:16 17:3	32:23,23	5:21	16:4 22:16
able 31:5	amend 6:22	B	14:2 16:14	17:6 18:24	cleaned 21:21	communities	26:10 31:6
accepting	amending 5:1		17:10 19:5	23:5,10,10	21:22	15:2 21:18	31:13
21:11	amendments	back 8:23	21:15,22	23:11,17,25	clear 10:11	community	contained
accommod...	25:22	bad 27:7	24:2,12,14	25:5,13	18:4	10:17 11:5	41:3
7:8	and/or 11:12	ban 8:2,2	25:1 26:4	29:11,14	CLERK 3:10	26:25	Continuing
accountable	15:7 34:2	19:11 20:17	26:11 31:11	34:13,18,25	3:15,20,25	companies	5:17
9:24 10:2	41:22	25:23 33:1	32:19 33:1	35:11 37:18	4:4,10,15	8:12 9:24	control 27:1
10:23	announcem...	34:9	33:4	38:18,22	4:25 6:14	10:4,19	27:2,15
accurate 35:4	2:10	bandit 9:20	bit 14:17	Chairman	37:15,19,23	12:11 15:15	41:22
accurately	answer 7:20	9:21 15:12	blue 28:23	3:18 4:3,7	38:1,5,8,12	15:16 17:9	conversation
41:4	35:4	banned 24:12	BOBBY 1:10	11:14,20	clever 29:7	19:4	25:9 34:10
act 6:2 10:20	anybody 9:14	bar 12:19	body 8:23	13:6,9	climb 12:2	company	40:1
12:12	9:22 13:18	based 17:23	bothers 12:8	20:19 25:16	clothes 28:8	8:10 14:2	conversatio...
action 37:2	15:10 22:17	basis 7:10	bottom 16:8	26:12 27:10	clothing 12:3	complaint	22:1,7
acts 19:22	apologies	32:1	breathing	27:19 28:16	12:3 21:11	7:10 18:7	correct 41:6
actual 19:4	23:22	beef 20:3	9:14	29:8 30:23	28:22	32:1,2	cost 27:8
Adamo 6:14	apologize	beginning	brief 3:6	31:1 34:12	clue 28:14	complaints	33:15
6:15,18	23:16	2:10 8:20	36:21 37:11	38:4	code 5:2 6:23	17:16 19:3	Council 1:1
7:22 13:21	apparently	behalf 14:1	briefly 36:22	Chairperson	8:4,4 9:10	19:6 20:11	2:13,19
14:3 15:18	28:20 29:6	40:2	bring 20:13	6:16	14:9 15:23	complete	34:8 39:1,4
17:21 22:4	applaud 13:6	behavior	bringing	challenge	17:24 31:23	32:25	39:10,13,20
30:17 31:2	apply 41:20	27:8	11:20	26:15	codes 8:21	comply 6:1	Councilman
31:8,21	appreciate	believe 21:15	built 31:22	chance 12:11	colleague	concern 8:1	1:10,10,11
35:1,19	25:7	29:22 36:23	business	change 7:9	24:7	19:11 24:5	1:12,12,13
36:1,15	area 12:21	12:10	19:25 20:20	Chapter 5:1	colleagues	24:18 25:23	2:2 3:12,17
adding 9:3	15:4	better 11:2,8	20:22 21:1	6:23	2:4 3:13,18	concerns	3:22 4:2,6
additional	Army 20:4	13:19 25:11	39:22	charitable	3:23 4:3,8	8:25 11:12	4:15,16 5:6
16:4 20:10	21:13 24:20	betterment	buy 13:3	19:13,22	4:14,17 6:6	conclude	6:10 7:21
Additionally	28:6 29:18	21:11		20:23 26:13	24:1 38:4	36:4 39:21	11:13,17,19
5:19	30:1,8	bill 1:16 4:22	C 41:1,1	charity 27:24	40:4	concluded	13:10 14:18
address 10:2	arrangement	4:24,25 6:5	call 3:2 6:4	chase 10:12	collect 16:4	40:7	16:24 17:3
addressed	22:22	6:21 7:3,16	6:12 36:10	chat 5:23 6:2	28:21	concludes	17:5 18:24
9:20 24:6	articles 12:5	14:10 28:14	37:7	35:16	college 12:16	36:24 39:19	21:6 22:7
addressing	asked 14:5	31:22,24	called 3:5	cheap 29:2	come 2:25	concur 19:24	23:7,12,15
28:2	35:1	34:2,24	4:19 37:10	check 22:23	26:17,20	conditions	23:18,20
adds 28:13	attendance	36:11 37:3	calls 9:13	chooses	comes 8:25	5:5 7:2	25:6,13,15
adjustments	3:2,3 37:8	38:19,23	10:19 11:5	33:16	coming 19:3	10:9	27:11,18,20
7:7 9:1	attending	39:3,7,12	capacity	cite 7:11	22:10 28:1	confirm	27:21 28:15
administra...	38:15	bills 11:4	15:13 33:24	citizens 10:16	comment 6:7	18:10	28:18,18,20
33:14	attention	bin 7:11,12	car 12:19	15:1 23:2	comments	confiscated	29:9,13
admit 19:9	34:6	8:8 16:11	carries 39:18	40:2	35:15	31:20	30:14,19,22
Affairs 6:19	authority	16:17,19	certain 5:5	City 1:1 2:13	Committee	consent 8:9	30:24,25
agent 9:9,11	32:17	18:7 26:7	7:1 12:14	8:18 10:5	1:2 2:5	consenting	31:17 33:9
14:1,15,20	authorized	26:23 32:3	certainly	11:6 14:25	4:18,21	5:18	33:10,11
15:6	9:11 14:1	32:8,10,12	31:9	17:10 18:15	6:17 11:10	consider 33:4	34:11,13
ago 12:9	14:15,20	32:13,14	certification	19:5,25	20:9 22:8	37:2	35:12,18
21:20 24:21	available	bins 5:3,4	41:19	21:2 23:2	25:17 35:16	considered	36:3,14
24:22	5:24	6:24,25 7:4	certify 41:2	24:10,15,15	36:7,25	36:12	37:17,21,25
agree 21:8	Avenue 24:23	8:6,7,10,10	certifying	25:24 27:3	37:4 38:24	construction	38:3,7,12
Allan 1:10	avoid 8:15	8:11 10:13	41:23	27:5 29:19	39:8,22	22:19	38:13,21
3:10 37:15				30:7 40:3	40:6	contact 8:11	39:6,17

Committee on Licenses and Inspections
February 16, 2021

Page 2

Councilme... 3:10,15,20 3:25 4:4 11:18 13:11 21:7 23:6 23:13,21 24:7 25:7 25:14 27:12 28:21 29:10 29:11 30:15 34:14,20 35:13 36:2 37:15,19,23 38:1,5,8,19	day 20:25 40:4 days 18:14 33:19 dealing 13:7 debris 22:19 decade 11:2 defined 15:4 definitely 20:13 department 6:20 7:5,9 7:14 10:9 13:22 18:19 33:15,22,23 Departmen... 7:19 described 34:23 deserve 11:2 11:8 13:19 destroys 15:2 detail 34:21 determine 32:3 different 14:8 difficult 9:7 26:3 direct 41:22 directed 22:3 33:17 discarded 12:4 disconnect 36:19 discussion 34:3 disgrace 11:8 displayed 3:7 37:12 disregard 13:17 disregards 15:1 District 11:24 doing 19:23 19:25 20:25 Domb 1:10 3:11,12 29:12,13 30:15 37:16 37:17 38:19 38:21 donate 28:8	29:20,22 30:11 donation 5:2 5:4 6:24,25 7:4,11 10:6 12:20 13:16 13:24 14:2 24:2,12 26:11 donations 12:6 20:6 doubt 12:10 drive 8:17 drop 12:18 drop-offs 21:16 dropping 12:15 Due 2:12 Duly 39:5 dumped 22:19 dumpsters 22:2,4 33:12 E E 41:1 earlier 33:12 eat 13:3 echo 23:25 26:23 educated 29:16 educating 27:22 effort 33:3,8 efforts 20:3 egregious 15:13 either 16:2 emergency 2:13 empathetic 19:16 enacted 6:22 7:3 14:11 ended 26:5 enforce 7:16 27:4 33:16 enforcement 10:11,25 26:1,2 31:25 33:15	34:23 engage 19:21 ensure 25:2 entirely 18:22 entitled 5:2 6:24 especially 8:25 event 20:16 everybody 9:15 26:24 evidence 41:3 exact 9:21 26:23 example 26:5 exist 10:8 existing 7:7 15:23 18:20 exit 36:23 expectation 5:16 expense 27:5 experience 25:12 explain 14:16 28:17 exploiting 22:11 exposing 27:6 expressed 26:7 expressing 25:18 eyesore 19:9 F F 41:1 fact 19:12 25:25 26:12 failed 36:10 faith 21:1 fall 9:3 far 8:2 11:23 favor 25:20 39:14 favorable 38:25 39:9 feature 5:23 6:2 February 1:5 2:6 Ferry 17:13 figure 10:22	10:23 20:3 35:23 find 12:5 fine 27:4 first 6:4 23:14 39:2 39:11 five 14:7 18:13 33:19 focus 19:19 folks 21:17 follow 18:1 34:19 following 2:9 follows 2:12 9:16 foot 13:7 for-profit 26:14 27:24 27:25 28:11 28:14 29:25 foregoing 41:5,19 forward 35:21 found 2:24 7:11 12:13 four 22:15 Frankford 24:23 fully 41:4 funds 24:16 further 36:6 38:25 39:10 G gas 27:16 gates 12:19 getting 29:15 Gilmore 1:11 4:11,12 11:15 23:9 23:13,21,23 34:14,17 35:8 38:9 38:10 give 12:10,11 35:4 giving 19:20 go 8:2,23 12:14 18:8 20:1 24:22 29:2,17 30:8,9 36:4	36:20 37:1 38:16 goes 18:9 20:17 32:3 going 11:10 12:22 20:18 31:10 33:5 34:10 37:4 good 2:2,3,4 3:12,14,17 3:23,23 4:2 4:3,6,7,8,13 4:14,16 6:15 10:18 20:25 21:14 24:19 28:4 29:18 30:2 30:9 37:21 graffiti 8:14 Grays 17:13 great 23:19 40:4 ground 9:15 12:4 grounds 22:12 groups 10:17 guess 7:25 19:10 H hand 15:25 23:14 35:3 handle 18:23 handy 14:4 hanging 10:1 happen 9:6 happened 36:24 happening 34:4,5 happens 8:17 happy 7:19 health 2:13 hear 5:8 heard 37:3 hearing 2:11 2:20 4:19 4:20 5:12 5:13,14 21:19 35:21 36:4,9,14 36:17,25 38:15,17	hearings 2:16 2:19,23 25:10 help 16:7 19:13 30:13 31:9,15 helpful 28:11 helping 20:20 Henon 1:10 2:2 4:15,16 5:6 6:10,16 7:21 11:17 13:10 14:18 16:24 21:6 23:15,20 25:6,13 27:11,20 28:18 29:9 30:14,19,24 33:10 34:13 35:12,18 36:3,14 38:12,13 39:6,17 hey 21:10 hold 10:23 15:10 holding 9:23 9:25 home 13:3 homes 13:13 homework 20:19 24:3 hoping 25:21 hour 2:25 Howard 12:16 hundreds 10:19 hung 12:25 I idea 27:23 28:12 illegally 13:24 image 3:7 37:12 impact 21:4 25:3 important 11:21 inaudible 21:23	included 2:20 indicate 3:4 37:9 individuals 20:7 information 8:11 14:12 15:21 16:4 16:23 17:8 26:10 28:12 31:6,13 32:12 innercity 11:22 Inquirer 2:22 inspect 7:10 18:8 inspected 17:2 Inspections 1:2 2:6 4:22 6:17 6:20 7:6,15 10:10 40:7 Instructions 2:17 Intelligencer 2:22 introduced 16:2 invest 13:2 investment 14:23 invite 36:18 invited 5:11 issue 7:24 9:21 11:21 13:8 24:4 25:19,25 27:7 29:15 32:15,21,22 34:6 issued 13:23 14:9 32:9 issues 8:24 10:2 items 10:6 J jeans 28:23 29:5 jobs 10:4 Johnson 1:11 3:21,22
---	--	---	--	---	---	---	---

Committee on Licenses and Inspections
February 16, 2021

Page 3

17:4,5 18:24 21:7 24:7 27:18 27:21 28:21 37:24,25 joined 2:5 Jones 1:12 4:5,6 11:13 11:18,19 13:11 38:6 38:7 Jr 1:12 4:5	leading 25:10 leave 12:3 Legal 2:22 legally 16:14 16:19 32:4 legislation 16:1 24:11 25:20 32:18 legislative 6:19 8:23 level 20:11 34:22 license 18:1 31:4,12 licenses 1:2 2:6 4:21 6:17,20 7:6 7:14 10:10 16:16 31:19 40:6 life 9:4 11:22 19:19 20:14 21:4 28:2 line 24:6 lines 8:8 18:22 list 15:15 24:9 literally 12:12 little 8:2 9:24 10:1 14:17 27:16 lives 13:18 LLCs 16:5 local 15:22 21:12,25 location 1:5 locations 5:3 6:25 21:16 24:10 26:4 30:6 locks 12:19 longer 11:1 look 8:24 34:1 35:21 35:23 looking 13:13 13:13 35:16 40:1 lot 15:5 27:16 32:6,19,20 33:1 love 21:9,25	30:4 M maintained 8:12 16:20 maintaining 15:8 maintenance 9:10 12:1 32:6,21 malls 27:17 Manager 6:19 managers 9:8 managing 9:9 15:6,22 Mark 1:13 3:15 31:1 37:19 market 28:25 29:5 matter 41:5 mattresses 22:18 mean 8:16 14:15 22:13 means 41:21 mechanism 16:17 medallions 22:5 33:13 meeting 2:14 5:11,17 36:5,19,20 37:2 Member 30:16 members 3:3 5:20,25 6:16 11:11 23:4 35:15 36:6 37:8 memory 28:9 mentioned 33:12 message 19:15 22:9 met 8:6 Microsoft 1:5 2:15 5:24 modify 5:3 6:24 mom 24:22 moment	36:21 money 27:8 month 19:8 morning 2:3 2:3,4 3:12 3:14,18,23 3:23 4:2,3,7 4:7,8,13,14 4:16 6:13 6:15 37:22 motion 38:19 39:15,18 mountains 9:17 move 38:23 39:1,10 moved 39:7 N N 41:1 name 3:5 6:18 36:9 37:10 narrow 26:21 natural 16:6 nearly 15:3 need 8:8,14 8:17 12:6 17:25,25 18:1 19:14 19:17 20:7 20:21 22:9 24:8 32:19 33:2,4 35:3 needs 21:17 neglectful 14:24 neglection 13:17 neighborho... 12:18 13:18 neighborho... 9:5 10:17 11:22 12:14 12:25 13:5 19:20 20:14 21:5 22:11 News 2:22 nonprofit 29:23 nonprofits 29:20 30:2 Notary 41:12 note 2:24	5:22 noted 41:3 notes 41:5 notices 2:21 NOV 33:19 number 14:3 O O 41:1 objection 7:15 obviously 19:24 offer 2:18 36:11 oh 1:12 4:1,2 23:6,7,12 23:18 25:14 25:15 28:15 28:19,20 38:2,3 39:19 Okay 14:18 35:9 old 24:25 once 22:8 33:5,17 ones 18:17,21 31:14 ongoing 7:24 open 11:10 opening 6:6 11:3 operating 7:8 18:6 operator 32:14 operators 16:11,17 opinions 36:17 opportunities 25:22 opportunity 7:18 19:21 21:3 options 20:22 order 4:20 6:1 24:17 28:16 ordinance 6:8 organization 28:6,7	organizatio... 20:5,23 21:13 26:13 26:14 28:4 28:5,10 out-of-state 15:20 outfits 22:10 outright 8:1 34:9 outside 25:1 overall 19:18 overflowed 22:15 overflowing 12:20 overseas 10:7 28:24,25 oversight 17:20 owned 15:19 owner 7:12 7:12 8:9 14:20 15:7 32:5,7,9,10 owners 8:8 10:13 15:20 16:5,8 ownership 16:6 P panelists 36:18 pants 28:22 parachuted 11:25 part 14:16 27:25 31:23 partially 19:10 participant 36:23 participants 5:15 participating 35:20 36:16 38:16 participation 30:20 pass 35:6 passed 31:24 34:24 passes 24:11	passing 33:12 path 20:1 pause 36:21 people 9:25 12:2,17 13:2,13 19:21 20:24 21:12 23:1 27:1 29:7 29:19,21 30:7 31:18 percent 15:4 perfectly 16:20 permission 11:25 permit 17:23 17:25 31:4 31:11 39:2 39:11 permits 16:15 31:18 permitted 5:4 7:1 18:5,11 31:3 permitting 17:18 person 16:7 Perzel 3:1,9 4:23 6:11 37:6,14 pharmacies 26:6 Philadelphia 1:1 2:3 5:2 6:23 10:5 11:6 14:25 17:16 19:6 21:2 23:3 40:3 Philly 19:7 PHL Council... 2:24 phone 9:13 physical 21:14 picking 26:16 27:6 pieces 16:1 place 8:10 13:14 15:17 17:10 18:12 26:8,19 32:4	placed 7:4 8:6 13:24 16:14,19 26:9 places 29:25 players 20:11 playing 16:25 please 3:1,4,5 4:23 6:11 36:19 37:7 37:9 point 15:9 17:7 21:17 22:24 28:15 30:4 34:7 34:21 poles 9:20 policy 8:23 popping 15:17 possible 2:16 31:3,18 powerful 13:12 prepared 7:6 7:16 present 1:9 3:4,19,22 4:19 36:9 37:9,18,22 37:25 38:4 38:7,11,14 pretty 13:12 20:17 25:18 prewashed 29:4 primarily 32:1 printed 32:13 prior 2:23 5:19 16:18 priority 10:3 10:24 33:23 privacy 5:16 private 8:6 17:14 22:21 problem 7:24 8:3 9:2 12:23 23:24 31:10,16 problematic 31:14 procedure 7:8 18:6
--	--	--	--	--	--	--	---

Committee on Licenses and Inspections
February 16, 2021

Page 4

proceed 35:24	29:1	19:18	10:14 18:20	right 8:3	sets 35:23	squatting 27:14	supervision 41:23
proceedings 36:22 41:3	purpose 6:3	recognized 6:1 34:16	32:16,20	15:18 16:14	severely 9:3	Squilla 1:13	support 20:24 28:9
process 17:18	34:2	recognizes 17:3 23:5	33:2,5	18:3 22:20	shirts 28:23	3:16,17	28:13 30:1
17:23 18:21	put 30:5	23:17 25:14	removing 24:14 32:7	28:8 32:17	shocking 29:6	30:22,25	supposed 22:14
27:23	putting 13:7	29:11 34:14	report 14:6	37:5	shopping 24:22	31:1,17	sure 14:14,21
profit 27:14	19:5 21:23	38:18	14:11 35:2	right-of-way 22:20	shops 21:14	33:9,11	17:21 19:14
profits 10:7	Q	recognizing 5:20	35:3	rights 9:1	shortdump... 8:15 9:15	34:11,20	20:15,18
prohibit 7:4	quality 9:4	recommen... 38:25 39:9	reported 38:24 39:8	roll 3:2 37:7	standpoint 28:3	37:20,21	22:22 35:6
prohibited 10:22	11:21 19:19	reconvene 37:5	reporter 41:12,23	rules 16:21	start 7:23	started 9:23	suspended 39:2,11
properly 39:7	20:14 21:4	record 5:22	represent 23:1	17:1 18:2,3	side 17:14	9:25	sympathetic 19:16
properties 15:19 17:11	28:2	34:25	reproduction 41:21	39:1,10	sign 12:24	state 2:8	system 16:18
property 7:5	question 10:18 13:20	recorded 5:13,18	requested 35:22	safe 40:5	signal 13:2	stated 39:21	T
7:10,12 8:7	14:16 16:10	22:6	require 16:3	Salvation 20:4 21:13	signify 5:25	statement 11:3,11	T 41:1,1
8:8,9 9:8,9	34:20	recoup 24:16	16:15,16	24:20 28:5	39:15	statements 19:1	take 3:2 8:24
14:23 15:2	questions 5:20 7:20	referencing 11:21	required 15:20 17:2	29:18 30:1	signs 9:20,21	stations 27:16	18:15 20:5
15:7,8,22	18:25 23:5	regarding 4:22 6:7	31:4,5	30:8	10:1 13:16	stenographic 41:4	35:22 37:7
17:14 18:14	25:4 30:17	11:7	requirement 15:6,23	Sarah 6:14	15:12	sticker 18:12	taken 37:3
18:22 22:21	35:14 36:6	registered 22:5	requirements 8:5	6:18 13:21	14:22 15:11	32:4	41:5
27:2 32:10	quick 28:15	registry 24:9	requires 2:9	17:8 30:21	simply 8:5	store 24:24	talk 25:11
32:21 39:23	31:1	33:13 34:8	resell 29:3	34:21	16:21 19:11	stored 33:5	talking 21:20
proposed 7:9	quickly 14:13	regularly 8:14	respective 13:4	saying 7:23	sir 5:7	stores 24:19	25:8
proud 9:18	quite 14:14	regulate 17:19	responding 3:6 22:25	33:16 39:15	six 7:25 8:18	25:3	taxpayers 27:8
proven 15:3	quorum 4:18	regulated 17:10	23:2 37:11	says 18:12	10:20 12:9	strategy 10:11	team 14:5
provide 6:21	R	regulations 8:19,22	response 6:9	37:13	13:23 21:19	street 17:15	20:2 35:2
7:18 17:19	R 41:1	14:19	11:4 25:25	seconded 39:5,7	slight 19:10	18:5,8,11	Teams 1:5
19:2	raise 34:6	relative 24:1	30:18 35:17	secondly 24:18	slumlords 14:24	18:15,18	2:15 5:24
provided 20:6	raised 23:13	remain 31:24	36:13	section 31:23	sneakers 28:22	streets 10:10	tell 32:23
providing 20:22	reach 31:19	remark 6:7	responsibili... 10:16	see 11:24	sold 10:7	17:11,12	telling 13:15
provision 7:17	read 4:24	remember 12:9,15	responsible 19:23 24:14	12:2 23:16	28:23	18:19 33:22	terms 5:5 7:1
public 2:11	39:20	24:21	32:5,7	29:3 30:5	solely 33:17	33:23	20:10 21:1
2:12,17,18	reading 39:2	reminds 27:13	restaurant 13:4	seen 19:8	solve 31:16	strip 27:17	testify 5:11
2:19,20	39:11	remote 1:5	revenue 33:14	send 13:1	somebody 14:22 15:7	stuff 22:24	6:12 36:8
3:13 4:9,20	reads 17:24	remotely 2:15	Richardson 1:11 4:11	22:9	15:21 21:9	26:16 27:6	testimony 2:18 5:9
5:12,14	real 31:1	remove 18:14	4:13 11:16	sending 19:15 21:24	26:8,16	29:1	6:21 7:19
20:16 36:5	really 16:16	24:17 32:17	23:10,13,21	sentiments 24:1 26:24	27:14	submission 13:25	7:22 35:20
36:20,24	17:19 29:24	removed	34:18 35:9	separate 28:1	soon 35:7	submit 15:21	36:11
37:1 38:17	32:5		38:9,11	serious 10:24	sorry 23:15	suggestions 11:12	thank 4:17
39:22,23	reason 8:20			22:10	sort 15:8 34:7	Sunshine 6:2	5:6 7:17,21
41:12	17:11,17,22			serviced 8:15	South 17:16	supermarket 24:25	11:19 13:8
public's 22:20	26:18 34:3			services 19:13	19:7	supermark... 26:6	13:10 17:6
publicly 25:8	reasonable 5:16 8:4			serving 21:17	speak 3:8		21:6 23:7
published 2:21	reasons 8:21			session 39:3	37:13		23:19,24
pull 12:3 14:5	8:22			39:12,20	speaking 13:12 26:3		24:2 25:5,6
14:11 35:2	receive 10:18			set 18:2	specific 26:22		25:12,15
purchase	receiving 20:12				spend 27:9		27:10,11,22
	recognize						29:8,9,13

Committee on Licenses and Inspections
February 16, 2021

Page 5

30:11,14,20	two 22:14	12:5 13:3	8:19 10:20				
30:20 33:9	type 16:5	13:14 19:14	12:9 13:23				
34:11,18	25:3 26:23	20:9,13,15	21:20 24:21				
35:9,10,12	typically	20:23 26:25	24:22				
35:19,24	33:21	27:21 36:15					
36:1,15		38:14 39:24	Z				
37:17 38:14	U	wanted 23:25					
38:21 39:24	unacceptable	25:2 34:19	0				
39:25 40:3	22:13,13	wash 21:24					
thanks 29:14	underserved	way 9:22	1				
30:13	12:22	10:23,24	10:00 1:6				
thing 9:19	understand	12:7 17:24	10:40 40:7				
22:17	2:8 8:1	19:23 25:11	16 1:5				
things 15:11	understood	30:9 31:25	16th 2:7				
29:21,22	29:24	32:18					
30:11 31:6	unfortunat...	we'll 36:4	2				
think 11:7	16:13 26:21	we're 19:14	20 15:3				
22:24 23:12	Unit 18:9	19:20 20:21	200618 1:16				
24:5 25:17	University	22:9,21	4:22,25 6:5				
26:15 29:15	12:16	29:15 31:9	6:22 38:20				
29:21,23	unkept 13:1	37:4	38:23 39:8				
31:2,8,15	unreachable	we've 25:9	2015 14:10				
33:11,24	16:9	35:22	2021 1:5				
34:7	unscrupulo...	website 30:5					
three 28:10	14:24	30:6	3				
thrift 24:24	use 5:23	wider 20:16	35 24:22				
throw 28:25	usually 10:6	willful 13:17					
tie-dye 29:4	29:17	windows	4				
time 5:23	utilize 24:17	12:20					
7:20 10:12		wish 5:25	5				
14:10 16:19	V	11:11					
26:18 32:20	value 15:3	wishes 36:10	6				
33:25	36:17	witness 6:5					
title 4:24	Vending 18:9	6:12 36:16	7				
today 2:6	Veterans	witnesses 5:9					
5:10 36:11	28:7	5:22 36:7	8				
37:4	VICE-CH...	36:18					
today's 35:20	1:10	words 3:6	9				
36:16	view 2:18	37:11	9-4200 5:1				
ton 28:24	viewers 5:15	work 18:18	6:23				
total 14:3	viewing 4:8	29:14 30:12					
19:11,15	violation 32:9	workers' 9:1					
totally 14:25	32:15,22	working 35:5					
21:7	33:18	works 16:3					
transcript	violations	28:17 31:25					
41:6,20	13:22 14:4	39:23					
travel 11:23	14:8 15:5	wouldn't					
tried 12:9	voting 20:8	31:12					
trouble 26:19	25:19	written 8:9					
true 12:13							
try 9:12	W	X					
12:11	wait 11:1						
Tuesday 1:5	36:22	Y					
TVs 22:17	want 4:17	years 7:25					