COUNCIL OF THE CITY OF PHILADELPHIA

COMMITTEE ON PARKS, RECREATION AND CULTURAL AFFAIRS

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Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, June 5, 2007
9:50 a.m.

- - -

PRESENT:
COUNCILWOMAN BLONDELL REYNOLDS BROWN, CHAIR
COUNCILWOMAN CAROL ANN CAMPBELL
COUNCILMAN DARRELL L. CLARKE
COUNCILMAN FRANK DiCICCO
COUNCILMAN JACK KELLY
COUNCILMAN JAMES F. KENNEY
COUNCILMAN FRANK RIZZO
COUNCILWOMAN MARIAN B. TASCO

BILLS 070268, 070269, 070272 and 070307
RESOLUTION 070292

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COUNCILWOMAN BROWN: Good morning. If I may have the attention of everyone, this is simply an FYI. You should be advised that at 9:30 we have a committee hearing on Recreation, Parks and Cultural Affairs only. At 10 o'clock we have a joint Committee of Public Property and Recreation, Parks and Cultural Affairs where the Barnes is our centerpiece.

So I want you to have a sense of the timing and why we will be hearing purely Recreation, Park matters at 9:30 and later on the joint Committee with Public Property and Recreation and Parks, only so that you understand why it may be taking a while to get to your particular interest.

Very well. Thank you.

(Short recess.)

COUNCILWOMAN BROWN: Good morning. We now have a quorum of Philadelphia City Councilmembers. The City Council Committee on Parks,

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Recreation and Cultural Affairs is now in a public hearing to hear testimony on Resolution 070292 and Bill Nos. 070268, 070269, 070272 and 070307. And I repeat, this is currently the City Council Committee for Recreation, Parks and Cultural Affairs. There's another Council committee hearing immediately following this that will be a joint Committee of Public Property and the City Council Committee on Recreation, Parks and Cultural Affairs.

Councilmembers in attendance this morning are Councilwoman Marian Tasco, Councilmember Frank Rizzo, Councilmember Jack Kelly, and we will now ask the Clerk to read the title of the resolution.

THE CLERK: A resolution authorizing City Council's Committee on Parks, Recreation and Cultural Affairs to determine the feasibility of installing surveillance cameras in all of the recreational facilities, as a means to

further enhance the safety of all persons utilizing these facilities; and as a means to fight crime and violence in these facilities.

COUNCILWOMAN BROWN: And it is my understanding that we have a -- Mr. Harry Phillips from the Mayor's Office is not in attendance to offer testimony on this resolution. It is my understanding that Kelly Dupree will offer remarks, testimony on this resolution. Is Kelly Dupree still in Chambers?

Do you want to please move to the witness table, sir.

Good morning. Please state your name for the record and offer your testimony on Resolution No. 070292, sir.

MR. DUPREE: Sure. As far as the benefits of surveillance cameras, I've been coaching at Shepard for about 30 years, football, baseball and basketball, and I see everything. I have a career development program there that

I've implemented and a mentoring and tutoring program after school. However, there's a lot of violence with the girls. The girls -- I mean, I'm talking about groups of 50 fighting like every day just on GP, you know. They're in there fighting all the time. And we had an accident a couple weeks ago where they had dirt bikes in the facility. And it's our job as recreation sports instructors and things of that nature to see that the park is safe for the children, and five people were injured. A little girl got caught underneath the bike. There was a big guy -- it was an adult on the bike with a little boy about eight years old and the little boy was knocked unconscious. The girl's face was all skinned up. And they got off the bike and ran, and three other people were injured at this same time.

So for safety reasons -- and then I see a lot of activity late at night, because I run the baseball program

also. I have like three teams on baseball, from T-ball up to age 15, and a lot of times I'm in the park league trying to prepare for the next day and there's a lot of drug use there, some stealing. You can't turn your back for one minute. Like say if I had a refreshment stand there trying to fundraise, if you turn your back for a minute, they're stealing people's cell phones and things of that nature, and these are some costly and timely events that occur almost on a daily basis.

We have some events there, football games, at night where we need like police security. And a lot of times people will get threatened. Like with the men's basketball league, a lot of the players involved in the league, they threaten the referees, and when we call the police, it's like to no avail. They don't get there until two or three hours later. So we don't have like any documentation or footage on what's

happened to discern who is right or wrong as far as when different fights occur.

I was even threatened like two weeks ago, and I called the police station and I gave the description of everything, and if we had the surveillance cameras, it would be a lot easier to track some of these people down, you know.

Like I said, I have a passion for my children up there. They're like my children, and I don't want to see anyone get hurt. Like I have two-year-old -- our T-ball starts at two years old and they're out there having fun.

Overall, though, the park as far as shooting, we don't have a lot of shootings, but there is a lot of violence and a lot of, I guess you can call them, terroristic threats now, you know.

The benefits would help us out a great deal. We have, like I said, the dirt bikes come in there. Then we have

the dogs. And I can't coach and run after people with pitbulls, dangerous dogs, and it's just a hazard to our children.

COUNCILWOMAN BROWN: Procedurally, what do you do with regards to reporting those incidents to the Recreation Commissioner?

MR. DUPREE: Well, I write up an incident report. Every time there's an incident, I have to write up an incident report, submit it to the recreation leader, and we ask them to leave, or if they refuse to leave, we're instructed to contact the police, and we have a direct number with the 19th District in order to get it resolved.

COUNCILWOMAN BROWN: And so bottom line is, you believe that surveillance cameras would greatly aid in tracking these type of incidents for further action or prosecution?

MR. DUPREE: Yes, most definitely.

COUNCILWOMAN BROWN: Any questions from members of the Committee?

COUNCILMAN KELLY: I have a question.

First of all, where is your facility?

MR. DUPREE: Can you speak up a little bit, please.

COUNCILMAN KELLY: Where is your facility?

MR. DUPREE: 5700 Haverford, Shepard Recreation Center.

COUNCILMAN KELLY: What response from the Police Department do you receive when --

MR. DUPREE: Response time?

COUNCILMAN KELLY: Yes. What kind of response do you get from the Police Department?

MR. DUPREE: Well, I was threatened, let's see -- two Fridays ago was, I would say, what was that, May 18th? I never even talked to them. I told them someone just came up here and

told me they was going to kill me. I never seen the police.

COUNCILMAN KELLY: They never responded, in other words?

MR. DUPREE: They never responded. I never got to write down the incident report or anything. Never responded. And that was on a Friday, and the next day I had a T-ball game. I didn't go to the game because I didn't want to jeopardize my children.

COUNCILMAN KELLY: When you called the police, did you call 9-1-1 or did you call the --

MR. DUPREE: We call directly to the 19th District.

COUNCILMAN KELLY: 19th District?

MR. DUPREE: Yes.

COUNCILMAN KELLY: And was that the only time they didn't respond or was there --

MR. DUPREE: No. It's several occasions. They're slow. They're slow

getting there.

We had a shooting -- somebody was running from somebody shooting at them and they ran and happened to run in the building and a couple shots were let off as he was -- he got shot three times, and then the cops' response time there, I don't know, maybe a half hour, and we had a whole staff there, because we had basketball games going on.

COUNCILMAN KELLY: Half hour after the shooting?

MR. DUPREE: Yes. And I'm not -- I can't really pinpoint. It may have been longer than that, but I went over to try to apply CPR -- not CPR; first aid, because I'm certified in first aid and CPR, and I went over to find out, and that took about 15 minutes just trying to determine where he was hit and all of that and the police still weren't there and the ambulance wasn't there either. By the time the police got there -- the police got there before the

ambulance, then the ambulance followed. As the police were dragging him out -- they dragged the guy out. They didn't like really carry him. He's a big dude. He was one of my ex-former football players I used to coach.

They dragged him down the steps, because he was big. They couldn't carry him, so they kind of like dragged him and threw him in the car, and then by that time, the ambulance was coming down Westminster Avenue towards 57th between 56th and 57th, so then they just transferred him. He lived, but the response time, I don't think it was --

COUNCILMAN KELLY: Appropriate.

MR. DUPREE: I don't think it was timely.

COUNCILMAN KELLY: It wasn't appropriate.

MR. DUPREE: No, it wasn't.

COUNCILMAN KELLY: Thank you. Thank you, Madam Chair.

MR. DUPREE: You're welcome.

COUNCILWOMAN BROWN: Any other questions from the Committee?

(No response.)

COUNCILWOMAN BROWN: Anyone else to testify on this resolution, Resolution No. 070292?

(No response.)

COUNCILWOMAN BROWN: We thank you, Mr. Kelly Dupree, for your testimony.

MR. DUPREE: You're welcome.

COUNCILWOMAN BROWN: We will now move to Bill No. 070234 (sic) and we want to ask the Clerk to please read the title of the bill.

THE CLERK: An ordinance amending Title 15 of The Philadelphia Code, entitled "Parks and Recreation," by adding a new Chapter relating to parks and playgrounds and by providing for the hours of operation of certain parks and playgrounds, all under certain terms and conditions.

COUNCILWOMAN BROWN: Okay.

Could we please invite those here to testify on Bill No. 070234 to please come to the witness table. My records here show that that would be Ralph Wynder and John Rafes, Program Director, Environmental Health Services. Please come to the witness table.

Please, if you would, state your name for the record and proceed with your testimony.

MR. RAFES: John Rafes. Good morning, Chairwoman Reynolds Brown and members of the Committee on Parks, Recreation and Cultural Affairs. I am John Rafes, Program Director of Environmental Health Services of the Department of Public Health. Thank you for the opportunity to speak about the proposal to amend Title 10 of the Philadelphia Code by adding a section prohibiting persons from taking vicious animals into playgrounds.

The Department of Public Health has the primary responsibility for

enforcement of Section 10-100, entitled "Animals." The Department's Animal Control Unit operates under Environmental Health Services. Animal Control responsibilities include the capture of stray animals; holding animals for adoption or euthanasia; seizing; detaining; caring for; maintaining; quarantining or disposing of, if necessary, any animal having or suspected of having rabies or which has bitten a person or persons. Also, accepting unwanted or stray animals from City residents; retrieving dead animals, including pets, from premises within the City, and disposing them in accordance with City regulations; dispatching Animal Control officers to complaints involving nuisance animals, barking dogs, dogs running at large, illegal animals and wildlife; and monitoring and enforcement of City regulations governing carriage horses and commercial horse stables. Many of these services are performed

under contract with the Philadelphia Animal Care and Control Association.

The Department supports any legislative effort that would make performance of its Animal Control responsibilities more effective. Vicious animals are defined in Chapter 10 as any animal, except a government-owned animal used for law enforcement, which poses an imminent danger to humans or domesticated animals, or which has been found by the Department of Public Health or its Animal Control agent to have a history of bites or attacks on humans or domesticated animals. The Department of Public Health, with the assistance of the Police Department, currently enforces Section 10-104 regarding vicious animals and leash laws in the City. We also enforce the applicable dog licensing requirements. These are important parts of the animal control functions we are charged with providing, and certainly we welcome any assistance in the form of

legislation that will assist us in this task.

Because of the imprecise language of the current Title 10 vicious animal definition, identification of situations of imminent danger are not as clear as we would like them to be for effective enforcement of this portion of the law. Without having a bite or attack history of an animal that is being held on a leash by an owner attempting to scare those around him, it can be a trying situation for an Animal Control officer charged with deciding whether this dog is truly vicious or if the owner is merely showing off. Conversely, normal playground activities such as small children running and playing may unintentionally provoke the most even-tempered dog into an unprovoked attack of the child who unintentionally scares it.

The Department supports the proposed legislation. The increased

penalties described in the amendment will help discourage irresponsible dog owners from frequenting the playgrounds, placing children and residents at risk. Given the additional issues of animals defecating and urinating in public areas, it might even be a more effective means of protecting the health of the public to consider banning animals entirely from the children's playground areas.

The Department of Public Health welcomes efforts by Council to help control the animals in the City and protect its residents. It is also imperative for dog owners of Philadelphia to understand the importance of licensing, vaccinating and spaying and neutering services for their dogs. Most importantly, owners must understand their responsibilities as a dog owner not only to protect their pets but the health and safety of those around them.

Thank you for the opportunity to present testimony today. I will

answer any questions.

COUNCILWOMAN BROWN: Any questions from members of the Committee?

(No response.)

COUNCILWOMAN BROWN: Mr. Ralph Wynder, proceed with your testimony, please.

MR. WYNDER: Good morning, Chairman Clarke and distinguished members of the Committee. I am here to speak on Resolution 070269 in regards to vicious animals in playgrounds and parks. I believe it's a resolution sponsored by Councilwoman Carol Campbell and maybe others of the Committee.

Recently, I visited the Shuler Playground at 27th and Clearfield Street, Shuler Playground, and I visited on a tour with Commissioner Victor Richards and others, and as we were visiting, we noticed that the leather swings that are used for children to swing back and forth on had numerous teeth marks in them, hundreds of teeth marks in the leather

seating that the kids swing on. This is because these leather seatings and these swings are used by owners of vicious dogs, mainly pitbulls, in that these leather seatings are used to strengthen the teeth of the dogs and to train them for fighting to attack. In some cases, we found that the actual leather seating was taken off and that the chain just hung alone, because these leather parts were taken to other areas where these dogs can be trained in an indoor manner to fight and to attack.

So recognizing that these areas are frequented by people who use pitbulls and other dogs to attack and to fight, then we feel as though the children, who also are in these playgrounds and who these playgrounds are made for, are in some sort of danger that if these dogs would attack a child in the same manner that they attack the seating that we witnessed, then that child would be ripped to shreds. They would be torn up.

They would be hurt very badly. That would be a child or any adult that was in this dog's vision.

So I'm recommending that this resolution be accepted and that vicious animals are prohibited from out of these areas before a child or an adult or anyone is severely injured or even killed by one of these animals.

As indicated in the previous testimony, I am in harmony with the fact that even normal dogs can be excited by the noise and by the running of small children as they shriek for joy and run in happiness in the playground, and that could even provoke a normal dog from attacking, much less a dog that is trained to attack and to be vicious in that manner.

So I think in the protection of the public that these animals should be prohibited, particularly from playgrounds. I know that some people use these parks as walking areas to walk

their dogs and a lot of dogs to go out and to defecate or whatever, and so I think that in the parks, we may find exceptions at some place or another, but clearly, a playground is no place for an animal to be in, and I think that we should totally prohibit them from playgrounds and possibly parks, but maybe in the place of parks we can find exceptional roads that dogs can be walked on.

COUNCILWOMAN BROWN: Thank you for your testimony.

Councilman Frank Rizzo.

COUNCILMAN RIZZO: You hit on it also at the very end of your statement. I think the cleanliness is a major factor. The best behaved dog in that environment doesn't know the difference between a park and a playground, and if they have a need, they're going to do it there. And can you imagine a child having to encounter that? So I think that's also a very,

very important point that you made, that the sanitary conditions at the facilities are also a very important point.

Thank you.

MR. WYNDER: You're welcome.

COUNCILWOMAN BROWN: Councilman Jack Kelly.

COUNCILMAN KELLY: Thank you, Madam Chair.

COUNCILWOMAN BROWN: You're welcome.

COUNCILMAN KELLY: I just have one question. Most of the people, in your experience, do they have these dogs on leashes or are they just running around by themselves more or less?

MR. WYNDER: In my experience, most people come into the playground with the dog on a leash, but if they notice that the playground is not full and that there's not a great deal of children, they'll go to an area -- most times I see decent people take their dogs to an area in the playground which is somewhat

removed from where the few children that are there are playing and then they let them off the leash.

COUNCILMAN KELLY: Then they wouldn't necessarily be in the child playground area.

MR. WYNDER: Well, they would be in that realm of the playground, but they would be -- most decent people I'm speaking about. We have exceptions to that where people come into the playground with their dog off the leash when they enter. But on occasions where most decent people who walk their dogs, I think they are conscious of the children and they do try to take them to an area that's somewhat removed, but that doesn't prevent the dog's vision from seeing a child even in a distance who is running, and if a child gets a dog's attention or a dog gets a child's attention, if their visions lock, a dog is going to attack that child if he sees fair. So I think that they should not be in a playground

at all.

COUNCILMAN KELLY: Okay. Thank you.

Thank you, Madam Chair.

COUNCILWOMAN BROWN: You're welcome.

Mr. Kelly Dupree, you have testimony on this bill?

MR. DUPREE: Yes. I have plenty of testimony.

COUNCILWOMAN BROWN: Please state your full name for the record. Pull the mike closer to you so we can hear it.

MR. DUPREE: My full name is Kelly Dupree. I'm the Recreation Sports Instructor at Shepard Recreation Center located at 5700 Haverford Avenue.

From my experiences, I've been tussling and fighting with people who have -- pet owners come in and they want to -- they come in with a leash, but then if they have to go to the bathroom, they want to tie the dog up on the gate, a

vicious dog, a pitbull, all types of dogs, rottweilers, and then go into the building to go to the bathroom. I've argued with people. I've had incidences where guys were just really ready to fight me because I told them it's not safe here.

On a daily basis we have about, I would say, about at least three to four hundred kids in the recreation center. There is no room for a dog. I'm so tired of cleaning the -- we occupy three baseball fields. We have soccer. We have football. We have indoor boxing. It's just too dangerous. It's not a place for a dog, you know. It's not even a place for a dog to go and take care of his business. It's just too much activity going on there where you can -- you can't bring a dog out there.

From my experience, I've had -- I still have children on my baseball team that's traumatized from an incident where the owner is playing with the dog and

teasing the children and chasing -- the children are running. Some children like to play with the dogs and they're running from the dog and thinking they're playing, and then one boy ended up on the top of the gate. I mean, when I calmed him down -- he was hyperventilating. His heart was beating so fast that I went over to him and I tried to calm him down. Here I go with my first aid again, you know. We don't have time for that.

The recreation playground -- and I agree with this gentleman right here. There's no place for animals to go. Plus, they don't clean up after their animals. Like I said, the three baseball fields that I occupy, we're daily picking up droppings from dogs, and it's too dangerous out there. And like I said, I have two-year-olds out there playing T-ball. What are they going to do? They can't run fast enough to get away. And three members of my baseball team, as soon as they see a dog, they run

up to me and just like jump on me, and like I'm trying to protect them and telling them to calm down.

And some of my former players and some of my current players, they bring their dogs in there, and I get on them, and sometimes they respect me. But, like I said, I run into incidences where I've had to almost literally fight someone because they wouldn't remove the dog from the area where I had children playing sports.

That's about all I have to say about as far as my testimony.

COUNCILWOMAN BROWN: So we can surmise from your testimony that you would be in favor of this bill?

MR. DUPREE: Yes. I'm definitely in favor of it for the safety of the playground and the children. I just don't think it's a place for animals to come and exercise. I know animals need exercise, and I worked at the zoo, so I'm not an animal hater or anything

like that, but just the recreation centers, I mean, there are other places where you can walk your dog and exercise with them where -- it's just too busy there. Like I said, on a daily basis there's over 300, 400 kids there.

COUNCILWOMAN BROWN: Councilman Frank Rizzo.

COUNCILMAN RIZZO: I don't want to create a whole new issue here, but in the inner city, people do have dogs and they need a place to walk them. Is there anything you could do to accommodate the people that legitimately need a place for their dogs? Could we create a dog park in some of our rec centers that have the ability to be double fenced? In other words, what can we do to accommodate the folks?

In other words, solving a problem isn't necessarily just creating a law to say you can't bring your dogs here anymore. We got to think what can we do to accommodate the folks. Maybe not at

the rec center. Maybe some other place even.

MR. DUPREE: I would suggest they make adjustments. They probably should walk their dogs early in the morning, preferably when there's not a lot of activity or -- I mean, right? That's what I would suggest, because it's busy all day. Like I work from 5:00 to 9:00, but I'm there -- like summertime it's going to be busy, because I run basketball camps. The facility is just in use at all times. I don't see any way we could accommodate them.

COUNCILMAN RIZZO: Well, I don't necessarily even mean there. Part of the solution of a problem is recommending an alternative to what folks are doing. Again, some of us have the luxury, we live in neighborhoods where we can go to a park and do what you described.

MR. DUPREE: Right.

COUNCILMAN RIZZO: Some of us

that love dogs that have dogs don't have a location. So maybe we ought to -- part of the whole plan here is to explore alternatives where people can.

I mean, I don't condone the leather seat. That is not what I have in mind here. I'm talking about the average person with a pet that needs a place to take the dog and clean up after themselves.

COUNCILWOMAN BROWN: Point of information. We are going to, Councilman Frank Rizzo, hear from the Administration. So that may be a unique opportunity to pose that very question to the Administration once we get to that portion of this hearing.

Further comments about this bill? And then we're going to move to the other bills and have the Administration respond to all three.

MR. WYNDER: In a quick response to Councilman Rizzo's question, I did allude in my earlier testimony that

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I do think that a designated area in possibly parks, not playgrounds, could be designated as an area for dogs to walk. I don't think this bill is intended to penalize animal owners or their animals, but it's to protect the children and the people who are in these recreation areas. So if we could find a place in a park that is remote from an area where people picnic and where people play, then maybe that can be looked at.

I think also in harmony with this bill, someone needs to look at a totally different issue and, that is, the enforcement of the pooper-scooper resolution or bill, because folks are constantly walking their dogs not only in parks and playgrounds but in public streets and not adhering to that law, and I think that that needs to be enforced in a greater way also.

COUNCILWOMAN BROWN: Well, you've raised a number of issues and opportunities, so we will invite the

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Administration to come forward after we hear testimony on the remaining two bills.

I do want to acknowledge Councilmember Frank DiCicco, a member of this Committee, and I do want to acknowledge the sponsor of these bills, Councilmember Carol Campbell.

We welcome you to the Chambers, Ms. Campbell. And right before we hear from the Administration, we offer you the opportunity to speak on these bills since you are indeed the sponsor of these bills. We thank you.

Any more testimony on Bill No. 070269?

(No response.)

COUNCILWOMAN BROWN: That being said, then we'll move to Bill No. 070272, and we ask the Clerk to please read the title of the bill.

THE CLERK: An ordinance amending Chapter 10-600 of The Philadelphia Code, entitled "Public

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Places - Prohibited Conduct," by amending Section 10-612, entitled "Gambling," by amending the penalty provisions for certain violations and making certain technical changes, all under certain terms and conditions.

COUNCILWOMAN BROWN: And again our testifier for this bill is Ralph Wynder.

Proceed.

MR. WYNDER: Again, good morning. This time let me state that I'm not only representing myself here, I am representing the 38th Ward, because I am the Democratic Ward Leader there, and I am also representing the Residents Coalition, a community coalition of organizations.

A few years ago, maybe a little over a year, there were hearings here that spoke to the subliminal issues and images that smoking and drinking had on the children who played in playgrounds, and I remember seeing pictures that

showed children swinging and coming down slides, with a big picture of a sexy woman or man with a cigarette in their mouth and an alcohol beverage in their hand, and these images basically portrayed negative images to these children at very tender ages that glorified those type of activities that we all choose that our children may not use in an abusive way.

So I think that gambling fits in that same category, that children who -- and, in fact, Council did a great thing in stopping billboards from being posted in areas where children were coming down slides and swinging on swings and putting these images in their head without them even being conscious of it, but now we're talking about not images but real live people who are coming into these play areas, finding an area to gamble, finding an area to drink, and I think that this bill, this particular bill on gambling, 070272, should be

passed, because in this particular community that I'm referring to where I live, we just finished fighting a great battle to oppose a casino from coming into the Budd site, and the people in that community were up in arms because of the dangers of gambling and because of all the negative effects that it would have on the people. So how could we tolerate petty gambling taking place on our streets?

We were opposed to Donald Trump and we're also opposed to any young or old person in our community that wants to gamble illegally. I don't even know why there needs to be a bill to regulate whether gambling should occur in a community when gambling itself is illegal. And so I think that this bill is just an obvious passing, but I can't see how anyone could not pass this bill, because gambling in itself is illegal, so, therefore, it should not be in playgrounds or anywhere on public streets

whatsoever.

So, clearly, I support this resolution. And I don't know if I could speak to this resolution in harmony with the next one or whether I should wait my turn on the alcoholic beverages.

COUNCILWOMAN BROWN: Let's hear from Mr. Kelly Dupree and just keep the record clear.

Mr. Dupree, on Bill No. 070272, gambling in parks, your testimony.

MR. DUPREE: My testimony is hands-on experience of violence. I've seen former employers of mine get shot, robbed from shooting dice, gambling with cards or whatever the situation may be as far as gambling. It's just not setting a good example for the younger children that are out there. If they see them out there smoking marijuana and gambling, they think that's okay, and hustling.

All of those things tie in together, and it's not a very positive image to present to our children at the

recreation center. They're there for recreation and for an outlet. They're not there to see a bunch of violence and a bunch of guys arguing over, "I bet this" and "I bet that."

I agree that something needs to be done about this. There needs to be a resolution. It goes on, and then, like I said, when I ask them -- they even try to gamble in the game room downstairs inside of the building, whether it be on pool or whether it be cards, whatever it may be. It's just not a place that it's welcomed.

MR. WYNDER: And if I might, in harmony again with --

COUNCILWOMAN BROWN: State your name for the record.

MR. WYNDER: Ralph Wynder.

Again, in harmony with the previous speaker, gambling games tend to incite the emotions of the individuals who are gambling. They're playing for money, and whether it's a small share or a large share, people sometimes feel as

though things are done improper. Arguments ensue, fights ensue and often times bullets follow. And so we have enough violence in our City already not to want to create a condition where children in our playgrounds are subject to flying bullets that have no names on them.

And so I clearly think that this particular resolution is appropriate to be passed, that gambling has no place in a playground or a park, and it's not something that we will want to see be done on a petty or an official level in our community.

COUNCILWOMAN BROWN: Any questions from members of the Committee on this bill?

(No response.)

COUNCILWOMAN BROWN: We will now move to Bill No. 070307, and we will ask the Clerk to please read the title of the bill.

THE CLERK: An ordinance

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amending Chapter 10-600 of The Philadelphia Code, entitled "Public Places - Prohibited Conduct," by amending Section 10-604, entitled "Alcoholic Beverages," by increasing penalties regarding alcoholic beverages in certain City-owned recreation centers, playgrounds and parks areas, and making certain technical changes, all under certain terms and conditions.

COUNCILWOMAN BROWN: And we will ask Ralph Wynder to please provide testimony. State your name for the record.

MR. WYNDER: Ralph Wynder, 38th Ward Leader, Chairman of the Residents Coalition.

Once again, I am in favor of this bill. This bill, I'm a little less strong on this bill as I am others, because clearly when people are picnicking and in parks having fun, adults tend to sometimes want to take a drink of beer or even a sip of wine, and

they do that. And I see that the penalty on this bill is a lot less severe than some of the other ones in terms of fines and penalty. Yet, if we allow for this bill -- if we allow for alcoholic beverages to be drunk in these environments, then we have no way of controlling the abuse of it, and not being able to control the abuse of it, it leads to situations where people begin to act unreasonable and begin to have fights and arguments and, once again, do things that they might not do if alcoholic beverages were not around.

So, once again, I don't think a playground -- and, again, the parks are to me a little different. I mean, a playground is a place where children are taken to play. Parks are a little more wide open and a lot less controlled, but there is clearly no place for people to be also drinking in a playground. And so, therefore, I clearly am in favor of this resolution being passed.

I think if you try to be reasonable and allow for a little bit of drinking, you can't control a lot of drinking and so, therefore, we should just not say that drinking is permissible in this environment. So I am in favor of this resolution.

COUNCILWOMAN BROWN: Measure as well.

Mr. Kelly Dupree.

MR. DUPREE: I'm somewhat in agreement with Mr. Wynder. From my experience that I've eyewitnessed, when we had -- I don't understand what it means by certain recreation centers here. Is there a stipulation for that? It says "certain City-owned recreation centers." Why would there be a stipulation? Is it because of the area? I thought it would be all for one and one for all.

But in any event, at our playground separate, we have a lot of picnics and a lot of barbecues. Like, say, for instance, we are about to have a

celebrity softball game. One of the guys we used to coach is coming home from overseas and he's going to have a celebrity softball game. And our events have -- they've always been positive, even with the alcohol, and they've conducted theirselves, because a lot of the guys that grew up together, most of them are in the age group of 30 and over. I mean, they keep it clean.

So I'm kind of torn between this one right here, because I know our functions that we have, they're normally handled professionally. We sit out there and we play pinochle and they may have a couple beers or some wine or drinks like that, but it's always been mature.

So, you know, but also we don't have children around. When we have these type of events, we make sure the children aren't in the area. So it's normally like on a Sunday when the park is not fully occupied, and, like I said, it's just a fun time, and we normally organize

a basketball game and I'll ref the game. We keep it under control.

So I'm in favor of it for certain parks, as it states right here, for certain City-owned recreation centers. I think you have to depict which ones as far as if you're keeping a track record of violence or any occurrences from having like a tournament or a celebrity game or anything of that nature or fundraisers.

COUNCILWOMAN BROWN: Okay, then.

Any questions for these witnesses?

Councilman Frank Rizzo.

COUNCILMAN RIZZO: I share your concern. Maybe there's a way we could amend this, where I would assume Fairmount Park -- and they could answer the question -- that a permit is required for a special event where it would stipulate it in the permit that that event would have beer or wine or

alcoholic beverages. So I think there's a way we could probably work around that, that unless you have a permit and it specifically states it, then it would be prohibited. But if you get the permit and the permit is issued and you choose to have a keg of beer, that then would be appropriate.

So I think I share both of your concerns, because there's a lot of activity in the park where alcohol is dispensed.

MR. DUPREE: Right.

COUNCILMAN RIZZO: What are we going to do? How do you have a picnic without a beer?

MR. DUPREE: They're going to hide and sneak it in some kind of way.

COUNCILMAN RIZZO: Exactly.

MR. DUPREE: But I agree, too. But also, all of our events, you have to have a permit. Because last Sunday I got put off the baseball field because it was a soccer -- they had a permit for the

whole weekend from Saturday and Sunday for Memorial Day weekend, and we had to take our baseball team to a different location.

So as far as a permit -- and the police got involved. Now, the police came out that day when they wanted to make sure who had the permission to be on the field. We're the home team. We represent Shepard, so we had to move.

COUNCILMAN RIZZO: Was it the FOP playing ball?

MR. DUPREE: Yeah, okay.

COUNCILMAN RIZZO: But my point is, I think there's a way around that to not just say no, that there's a way in the permit process.

MR. WYNDER: Ralph Wynder speaking.

Once again, Councilman Rizzo, from the permits that I've seen that the Recreation Department uses, there is a clause on the back of those permits that state no alcoholic beverages are

permitted. So this resolution will only strengthen a rule that is already in existence with the Recreation Department. I think that what has to be determined is if there will be exceptions to this resolution or to that rule that would allow it. Right now these things are not permitted and that they are still brought in, and that is because no one enforces it unless things get out of hand.

COUNCILMAN RIZZO: I was more focused on the park.

MR. WYNDER: On the what?

COUNCILMAN RIZZO: The park part.

MR. WYNDER: Parks, right. But definitely no playgrounds. I'm glad you're in harmony with that. Okay.

COUNCILWOMAN BROWN: Any other questions for these witnesses?

(No response.)

COUNCILWOMAN BROWN: We thank you, gentlemen.

COUNCILWOMAN CAMPBELL: Madam

Chairman.

COUNCILWOMAN BROWN: Certainly. Councilmember Carol Campbell.

COUNCILWOMAN CAMPBELL: Yes. There was a question as to the certain --

COUNCILWOMAN BROWN: Certain City-owned recreation centers.

COUNCILWOMAN CAMPBELL: This bill was crafted for the Fourth Councilmanic District. I felt it would be presumptuous of me to want to put this in a position where it would affect everyone's playgrounds. I can only speak for the ones in the Fourth Councilmanic.

Alcohol is not good around children. Now, Fairmount Park is excluded. If you read the bill in its entirety, this is not applicable to Fairmount Park. That was crafted in the beginning.

The problem is, I have personally observed men come into the playgrounds with beer in brown bags, drink it, set it down and see a child go

pick up the bag later and start drinking it.

Playgrounds are primarily for children, and I think in this time and age, people have not spent enough time to try to make sure the children are protected from this.

I don't think alcohol has any place in the playground where children are. There are too many places that you can have alcohol.

Now, in Fairmount Park, that's different, where people have barbecues and picnics, but in playgrounds, you have a lot of toddlers, you have little children running around. And, as I said, I have seen them pick up a bottle that beer was in and put it to their mouth. And that's the reason for this.

Thank you.

COUNCILWOMAN BROWN: So in the title of the bill, it does not say specifically for the Fourth Councilmanic as you stipulate in Bill No. 070307.

COUNCILWOMAN CAMPBELL: Well, then it needs to be amended, because it was for the Fourth Councilmanic. I think it's in the bill regarding the hours, but it should have been in that one also, because I would never be so presumptuous to push this on another person's district. It would be their prerogative to do what they feel is best in their district.

COUNCILWOMAN BROWN: Okay. Thank you, Councilwoman Campbell.

Councilman Frank Rizzo.

COUNCILMAN RIZZO: Yes. I'd like to ask the sponsor a question.

Councilwoman Campbell, Section B, I see where you except Fairmount Park, where you exempt Fairmount Park. What do you mean by "City-owned recreation centers, playgrounds or park areas"? What are "park areas"?

COUNCILWOMAN CAMPBELL: That was the terminology that the City Solicitor's Office suggested that we use.

COUNCILMAN RIZZO: Could someone from the City Solicitor explain what that means?

COUNCILWOMAN BROWN: We'll get to that.

COUNCILMAN RIZZO: Thank you.

COUNCILWOMAN BROWN: Any other questions for these witnesses?

(No response.)

COUNCILWOMAN BROWN: Thank you, gentlemen.

We would now like to ask a representative of the Administration -- and I'm told an official with the Philadelphia Department of Recreation -- to please come forward.

Good morning.

DEPUTY COMMISSIONER CARAPUCCI: Good morning. I'm Bill Carapucci, Deputy Commissioner of Recreation.

COUNCILWOMAN BROWN: Thank you very, very much.

So to keep the record clear and so to keep us informed about which of

these bills you're supporting and which you're not or where you stand with these various bills, I want to walk through each of them.

Let me start with Bill No. 070269, which deals with vicious animals.

DEPUTY COMMISSIONER CARAPUCCI: I personally totally agree with this bill. Having been in this Department 40 years, I have seen a lot of things deteriorate with animals. Years ago we used to be allowed to keep dogs out of the rec centers. I remember we had signs up in all the rec centers "No Dogs Allowed," and that kind of broke down over the years. And in response, in some areas of the City, like, for instance, in the First Councilmanic District, we have a few dog runs that were built with inside the rec center. I know Councilman DiCicco helped us do this a few years ago at Columbus Square, Mario Alonzo Park and a couple other areas. I think we have one down at the Schuylkill River Park

also. So there are dog runs. There are not a lot of them within the City, but we have a couple.

But overall, I totally agree with this bill, a ban on dogs, because it's getting to the point now where it's getting dangerous in some of these facilities, plus when I was a parent and my kid was playing baseball, my daughter, when you go in the outfield and there was a problem. Leave it like that. There was a problem with people having the dogs relieve themselves, and it was just not a good situation. Besides the safety, besides the epidemic of problems that we're seeing recently, even 15 years ago this was bad. So I totally agree with it and I'm sure my Commissioner agrees with it.

COUNCILWOMAN BROWN: Councilman Frank DiCicco.

COUNCILMAN DiCICCO: Thank you, Madam Chair.

Good morning, Mr. Carapucci.

And I guess this question also goes to the sponsor of the bill, Councilwoman Campbell. Prohibiting bringing vicious animals into playgrounds, I think that the definition should be made even broader. I mean, the problem we've been having, at least since I've been the Councilperson, is not only vicious animals but animals in general that are being brought into public recreation facilities for all the obvious reasons why we don't want them there but for designated areas, dog runs and/or dog parks.

So to the sponsor of the bill, unless it's covered in here, I would like to see it include animals in general, because I know I spent many 6 o'clock a.m. mornings handing out pooper-scoopers at Columbus Playground, only to be told I can do something with it other than hand it to the person who was violating that.

The other problem we have is enforcement. I think that's the biggest

problem of all. We bring it to the attention of the Police Department, and they do a fine job for us, but there seems to be little, if any, enforcement when it comes to people violating the no pet or no dog entering a public park facility.

But, again, I understand the intent of this bill. I don't want our police officers or anyone who may be in a position to have to cite somebody to try to make a decision what they consider to be a vicious animal. So I would just think it would be animals in general, and I would offer that to the sponsor of the bill. Possibly we could work on that as a friendly amendment, and I think we can accomplish both your concerns and all the other concerns of people who use the parks and take their children to the parks and have this competition between the animals. And I'm a pet lover, by the way, so I don't want anybody to think I don't like pets. But there's always this

contention between folks who use the facility and the kids that are using the facility and the pet owners. And, unfortunately, the rec center leader is left in a position to try to be the police person and doesn't have the responsibility or the authority to issue a citation, and it does cause a lot of problems.

I know for years we've been having lots of problem at Cianfrani Park at 8th and Catharine where the community is always battling between rights of the individual people who want to use the park and the pet owners competing with each other.

So I think we need to make that a little bit more broader and clearer. Just a friendly amendment, if you will.

COUNCILWOMAN BROWN: Councilwoman Campbell.

COUNCILWOMAN CAMPBELL: I can understand that and I accept that. My main concern is that in our community,

men take these pitbulls into the playground and they sharpen their teeth on the swings that the toddlers use, and sometimes the dogs, they're trained there. They train them in the playgrounds for fights where they later have fights. And that's a despicable sight to see when you see one owner pitting his dog against another one and there's children out there in that playground. And it's very destructive as far as the equipment is concerned, but it's dangerous to have that type of environment around children.

COUNCILMAN DiCICCO: I certainly agree with you, Councilwoman. I mean, obviously pitbulls would probably fall under the definition, although there's some people who have pitbulls that are very calm and tame, but, again, there are other species of animals that can be just as vicious as a pitbull.

So, again, I think it goes beyond the viciousness. I think it goes

to the point of the competition between the parents and the kids that are using it and the dog owners. There's always this competition as to who has more rights. But for designated dog park or dog run areas, I would rather see this be a more broad interpretation. Just an opinion I have to offer.

Thank you.

COUNCILWOMAN BROWN: Thank you, Councilman Frank DiCicco.

Councilman Jack Kelly.

COUNCILMAN KELLY: Thank you, Madam Chair.

As a pet owner, I believe that, just to follow-up Councilman DiCicco's point, that I don't think there's any reason, any rationale to have pets in recreation centers. I don't think they belong there really. There are parks and there are other places where people can take their dogs. And, again, I'm probably one of the biggest pet lovers there is in this City, and I totally

agree with it.

And as far as the enforcement goes, if police can't respond to a shooting in a park, I'm sure they're not going to respond for someone having a dog in a park where they shouldn't. That's one of the concerns that we do have. And I think that by including all animals, I think it would be better served, this ordinance.

Thank you, Madam Chair.

COUNCILWOMAN BROWN: You're welcome.

Councilman Frank Rizzo.

COUNCILMAN RIZZO: Commissioner Carapucci, you indicated that years ago there was signage on the rec centers. I would hope the City Solicitor when they crafted this did do their research to make sure we don't have anything already on the books that needs to be amended. So was that just a deterrent that had no ordinance or bill associated with it or do you know if there's something in the

books that we really need to look at to make sure we're not reinventing the wheel here?

DEPUTY COMMISSIONER CARAPUCCI: It was always said that we couldn't -- it wasn't an ordinance. There was a department rule. So now this becomes an ordinance from City Council, then I think we can enforce this or at least we could attempt to enforce it.

In other words, I agree, you need the police to help you, but we have recreation leaders that work at the various sites. If they have the backing of this bill, I think it will cut back. That's why I support this bill.

COUNCILMAN RIZZO: Thank you.

COUNCILWOMAN BROWN: Thank you.

Let's now move to Bill No. 070272, gambling in the park, the Administration's reaction, response, position on this matter.

DEPUTY COMMISSIONER CARAPUCCI: This is easy. This is a no-brainer. You

have to agree with this. This is tremendous, as far as I'm concerned, because as somebody said about the shootings that occur after the gambling, that's what's happening. Somebody loses too much money, things happen, they don't pay up, you absolutely -- I would support that. I support it and I'm sure my Commissioner will support it.

COUNCILWOMAN BROWN: Let's move to Bill No. 070307, alcoholic beverages in the park. And Councilwoman Campbell has indicated that the preference is to have this bill specific for the Fourth Councilmanic District.

DEPUTY COMMISSIONER CARAPUCCI: I'd like to see it for the whole City. This problem is throughout the City. It may be a little worse in the Fourth District, but it's bad all over. So I think it would make it a lot easier with the alcoholic beverage ban if it was just for all ten districts.

COUNCILWOMAN BROWN: What I'm

hearing from members of the Committee is that the sentiment would be shared by most of the District Councilmembers to have this apply to all. So we will amend the bill, with your consent, Councilwoman Campbell.

COUNCILWOMAN CAMPBELL: Fine.

COUNCILWOMAN BROWN: Clarification, Ms. Campbell, the "certain City-owned rec centers" was to make it clear that this does not apply to Philadelphia Fairmount Park.

COUNCILWOMAN CAMPBELL: Right.

COUNCILWOMAN BROWN: Which is as you described. And according to tech staff, then this bill as written will apply to all recreation centers in the City of Philadelphia, correct?

UNIDENTIFIED SPEAKER: Yes.

COUNCILWOMAN BROWN: Very well.

Now, with that said, Councilman Frank Rizzo had a question.

COUNCILMAN RIZZO: I hope the answer to this question is no. Is there

ever a time there is an exception to anything we're discussing today? Is there ever a time when we have a carnival that there could be something -- is there ever an exception to anything that we discussed today even though you're saying that you would like this all to happen? Is there a time when we do allow on a Recreation Department area a carnival of any type that would have gaming or would have alcoholic beverages?

DEPUTY COMMISSIONER CARAPUCCI: There have been carnivals. We've cut them down to maybe -- the last year there might have been maybe five. They were requested through either athletic associations, advisory councils, and they've been -- years ago we might have 30, 40 carnivals. Our goal is to hopefully be down to zero in the near future.

COUNCILMAN RIZZO: So this ordinance will bring it to zero?

DEPUTY COMMISSIONER CARAPUCCI:

It will help.

COUNCILMAN RIZZO: You truly want it to be at zero?

DEPUTY COMMISSIONER CARAPUCCI: I personally would like to see it at zero.

COUNCILMAN RIZZO: So anyone that has a carnival would be affected by this legislation?

DEPUTY COMMISSIONER CARAPUCCI: It would certainly help.

COUNCILWOMAN BROWN: Follow-up from Councilman Jim Kenney and then Councilman Jack Kelly, please.

COUNCILMAN KENNEY: Thank you very much.

Who controls Girard Park? Fairmount Park or you guys?

DEPUTY COMMISSIONER CARAPUCCI: Girard Park was transferred about five years ago from the Recreation Department to Fairmount Park.

COUNCILMAN KENNEY: So this would not affect Vendemmia?

DEPUTY COMMISSIONER CARAPUCCI: It would not because it's not under our jurisdiction.

COUNCILMAN KENNEY: Thank you.

COUNCILWOMAN BROWN: Councilman Jack Kelly.

COUNCILMAN KELLY: Thank you, Madam Chair.

I just have a follow-up with Councilman Rizzo's point about carnivals. Isn't it true that most of the carnivals that are being run in a public facility are being supported by community groups or non-profit organizations that need that to raise necessary funding, and most of the time the District Councilperson would have to approve that facility to be used as a carnival?

DEPUTY COMMISSIONER CARAPUCCI: It's correct, but here's the situation: The carnivals per se have become a little dangerous because of the problems that could occur around the carnival. And there may be money raised, but I don't

know if enough money is raised that is worth the chance of taking --

COUNCILMAN KELLY: That justifies --

DEPUTY COMMISSIONER CARAPUCCI: Exactly. I could recall maybe five, six, seven years ago we had 30 carnivals. We're down now -- I think this past year I think we had five. So I think many people are agreeing with our position on this.

COUNCILMAN KELLY: Okay. That's the only point I would like to make. Thank you. Thank you, Commissioner.

Thank you, Madam Chair.

COUNCILWOMAN BROWN: The final bill, Commissioner, we need you to please state your position on Bill No. 070268, which speaks to hours of operation, and this bill does say specifically in the Fourth Councilmanic District.

DEPUTY COMMISSIONER CARAPUCCI: It has to go citywide. It has to be all

ten districts. The hours here seem fine, except for on No. 2, I think it's a little bit late, 9:00 a.m. to 6:00 p.m. I think we ought to start earlier in the morning, say at 7:00 a.m., for the tot areas, because our facilities where some of the parents are up, the kids are up. There's not a problem with a mom taking a kid into a tot area and not have to wait until 9:00 a.m. But as far as the bill itself, on No. 1, the hours are fine, 9:00 a.m. to 10:00 p.m. They correspond with our hours now. Once in a while we go past 10 o'clock, but it's not past 10:30. The other thing is, it should be citywide. It has to be all ten of our districts.

COUNCILWOMAN BROWN: Councilwoman Carol Campbell, sponsor of the bill.

COUNCILWOMAN CAMPBELL: Madam Chairman, we had planned to amend the hours to 8 o'clock and it would be just as easy to amend it to 7 o'clock.

COUNCILWOMAN BROWN: Okay.

Any other questions for this witness?

(No response.)

COUNCILWOMAN BROWN: So, Councilwoman Campbell, we're going to amend the bill to say all parks.

COUNCILWOMAN CAMPBELL: That's fine. I just felt it was presumptuous of me to want to suggest to other people what they should do in their districts. But it's fine with me to do this. Thank you.

COUNCILWOMAN BROWN: Any other questions for the Administration?

(No response.)

COUNCILWOMAN BROWN: We thank you very much, Mr. Carapucci.

DEPUTY COMMISSIONER CARAPUCCI: Thank you.

COUNCILWOMAN BROWN: That concludes testimony on Bill Nos. 070268, 070269, 070272 and 070307. We will now close this hearing and move to a stated

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meeting, public meeting.

I'd like to ask Councilwoman Marian Tasco to please offer an amendment on Bill No. 070268.

COUNCILWOMAN TASCO: The amendment will be to Chapter 15-600, "Parks and Playgrounds," Section 15-601, "Parks and Playgrounds - Hours of Operation," Item No. 1, which will read to reflect in "all parks and playgrounds owned or controlled by the City" and it continues the way it's presented. We are deleting "in the Fourth Councilmanic District."

No. 2, we are changing the hours in "all playgrounds designated as tot playgrounds for the use of children from two to five years of age shall be open to the public between the hours of 7:00 a.m. and 6:00 p.m., except from April 1st through October 1st when the hours shall be 7:00 a.m. to 8:00 p.m." the amendment is changing from the Fourth District to include all playgrounds and

the time from 9:00 a.m. to 7:00 a.m.

COUNCILWOMAN BROWN: I want to thank Councilwoman Tasco.

We're going to ask Councilman Jack Kelly to make a motion on the amended Bill No. 070268.

COUNCILMAN KELLY: Madam Chair, I move that Bill No. 070268 as amended be reported out of this Committee with a favorable recommendation and also ask -- we would like to vote on the amendment for Bill No. 070268 as reported.

(Duly seconded.)

COUNCILWOMAN BROWN: All in favor say aye.

(Aye.)

COUNCILWOMAN BROWN: All opposed?

(No response.)

COUNCILWOMAN BROWN: Therefore, Bill No. 070268 -- Councilman Jack Kelly.

COUNCILMAN KELLY: Madam Chair, I would like to report Bill No. 070268 as amended for a favorable recommendation

and also request a suspension of the rules in order that this bill may be heard at the next session of Council.

(Duly seconded.)

COUNCILWOMAN BROWN: Thank you.

All in favor say aye.

(Aye.)

COUNCILWOMAN BROWN: All opposed?

(No response.)

COUNCILWOMAN BROWN: Therefore, Bill No. 070268 as amended will be reported out of this Committee with a favorable recommendation and a further recommendation that the rules of Council be suspended to allow first reading at our next scheduled session of City Council.

Councilman Frank DiCicco, if we could ask you to please offer a motion on Bill No. 070269.

COUNCILMAN DiCICCO: Thank you, Madam Chair. I move that Bill No. 070269 be reported out of this Committee with a

favorable recommendation -- we're holding that one. I withdraw that. That bill is being held.

COUNCILWOMAN BROWN: Let's state for the record that at the request of the sponsor Bill No. 070269 is being held.

COUNCILMAN DiCICCO: So I'll move to the next bill?

COUNCILWOMAN BROWN: Please.

COUNCILMAN DiCICCO: I move that Bill No. 070272 be reported out of this Committee with a favorable recommendation and a further recommendation that the rules of Council be suspended.

(Duly seconded.)

COUNCILWOMAN BROWN: All in favor say aye.

(Aye.)

COUNCILWOMAN BROWN: All opposed?

(No response.)

COUNCILWOMAN BROWN: Therefore,

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Bill No. 070272 will be reported out of Committee with a favorable recommendation, a further recommendation that the rules of Council be suspended so to allow first reading at our next scheduled session of City Council.

COUNCILWOMAN CAMPBELL: Madam Chairman.

COUNCILWOMAN BROWN: Please. Councilwoman Campbell.

COUNCILWOMAN CAMPBELL: Will you go back to 070269, please.

COUNCILWOMAN BROWN: 070269. Please.

COUNCILWOMAN CAMPBELL: You said it's being held?

COUNCILWOMAN BROWN: Yes. We are holding that bill because we cannot change the title of the bill and so a new bill will be submitted wherein "vicious" will be deleted so to include all animals.

COUNCILWOMAN CAMPBELL: That doesn't help my district, though. I've

got a serious problem with those dogs attacking the equipment and being pitted against each other, and I believe that if it's held, we will not get it through so it's applicable for this summer.

COUNCILWOMAN BROWN: Okay. So your wish is to move on the bill and we will have a new separate bill that will deal with all animals?

COUNCILWOMAN CAMPBELL: Yes.

COUNCILWOMAN BROWN: Very well.

COUNCILWOMAN CAMPBELL: Thank you.

COUNCILWOMAN BROWN: Not a problem.

Then we want to ask Councilman Jack Kelly to please make a motion on Bill No. 070269.

COUNCILMAN KELLY: Yes. Madam Chair, I move that Bill No. 070269 be reported out of this Committee with a favorable recommendation and also further move for a suspension of the rules in order that this bill may be heard at the

next session of Council.

(Duly seconded.)

COUNCILWOMAN BROWN: All in favor will say aye.

(Aye.)

COUNCILWOMAN BROWN: All opposed?

(No response.)

COUNCILWOMAN BROWN: And, therefore, Bill No. 070269 will be reported out of this Committee with a favorable recommendation and a further recommendation that the rules of Council be suspended to allow first reading at our next scheduled session of City Council.

We will now move to Bill No. 070307. Councilman Frank Rizzo, make a motion, please.

COUNCILMAN RIZZO: I move a motion -- if you could repeat that number.

COUNCILWOMAN BROWN: Certainly. Bill No. 070307.

COUNCILMAN RIZZO: Got it. I move Bill No. 070307 be reported out of this Committee with a favorable recommendation and a request to suspend the rules so it can be heard at its first reading at the next Council session.

(Duly seconded.)

COUNCILWOMAN BROWN: Thank you. All in favor say aye.

(Aye.)

COUNCILWOMAN BROWN: All opposed?

(No response.)

COUNCILWOMAN BROWN: Therefore, Bill No. 070307 will be reported out of this Committee with a favorable recommendation and a further recommendation that the rules of Council be suspended so to allow first reading at our next scheduled session of City Council.

This concludes the meeting of the Committee on Parks, Recreation and Cultural Affairs. We thank you all for

your interest.

Thank you, Mrs. Campbell.

COUNCILWOMAN CAMPBELL: Thank you.

(Committee on Parks, Recreation and Cultural Affairs adjourned at 11:15 a.m.)

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CERTIFICATE

I HEREBY CERTIFY that the proceedings, evidence and objections are contained fully and accurately in the stenographic notes taken by me upon the foregoing matter on June 5, 2007, and that this is a true and correct transcript of same.

_____

MICHELE L. MURPHY

RPR-Notary Public

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