

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON STREETS AND SERVICES

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, March 5, 2024
10:17 a.m.

PRESENT:

COUNCILMAN JEFFREY YOUNG, JR., CHAIR
COUNCILMAN MARK SQUILLA, VICE-CHAIR
COUNCILWOMAN NINA AHMAD
COUNCILMAN JIM HARRITY

BILLS: 240008, 240009, 240011, 240014,
240016, 240089

1 - - -

2 COUNCILMAN YOUNG: Good
3 morning. Welcome to the
4 Philadelphia City Council Committee
5 on Streets and Services. I note
6 that the hour has come.

7 Mr. Pullin, can you please
8 call the roll for the Members that
9 are present.

10 THE CLERK: Councilmember
11 Ahmad.

12 COUNCILWOMAN AHMAD:
13 Present.

14 THE CLERK: Councilmember
15 Bass.

16 (No response.)

17 THE CLERK: Councilmember
18 Brooks.

19 (No response.)

20 THE CLERK: Councilmember
21 Harrity.

22 COUNCILMAN HARRITY: Here.

23 THE CLERK: Vice-Chair
24 Squilla.

25 COUNCILMAN SQUILLA:

1 Present.

2 THE CLERK: Chair Young.

3 COUNCILMAN YOUNG: Present.

4 Thank you, Mr. Pullin.

5 I note for the record that
6 a quorum of the Committee is
7 present and this hearing is called
8 to order. This is a public hearing
9 of the Committee on Streets and
10 Services considering testimony on
11 Bill Nos. 240008, 240009, 240011,
12 240014, 240016 and 240089.

13 Mr. Pullin, would you
14 please read the title of the first
15 bill.

16 THE CLERK: Bill No. 240008
17 entitled, an ordinance establishing
18 parking regulations in the vicinity
19 of Ainslie Street and Vaux Street
20 and Conrad Street; Calumet Street
21 and Dobson Street.

22 COUNCILMAN YOUNG: Thank
23 you. Mr. Pullin, would you please
24 call the first witness to testify
25 on this bill.

1 THE CLERK: Yes,

2 Mr. Chairman.

3 The first witness to
4 testify is Lester Emerson, Deputy
5 Manager of the Philadelphia Parking
6 Authority.

7 (Witness approached Witness
8 table.)

9 MR. EMERSON: Good day,
10 Council.

11 COUNCILMAN YOUNG: Good
12 morning, Mr. Emerson. Will you
13 please state your name for the
14 record and proceed with your
15 testimony. I note we do have your
16 written testimony so you can
17 summarize, if possible.

18 MR. EMERSON: Understood.
19 Good day, Council. My name is
20 Lester Emerson, Deputy Manager for
21 the Philadelphia Parking Authority.
22 Thank you for allowing me to
23 testify before Council regarding
24 Ordinances 240008, 240009 and
25 240011.

1 The Philadelphia Parking
2 Authority has no objection to the
3 ordinances previously read before
4 Council and recommends favorable
5 consideration. Thank you again for
6 your time and I will be happy to
7 respond to any questions.

8 COUNCILMAN YOUNG: Thank
9 you. And was that summary of your
10 testimony for all three bills?

11 MR. EMERSON: For all three
12 bills.

13 COUNCILMAN YOUNG: For the
14 record, Mr. Pullin, can you call
15 the title of the other two bills as
16 well.

17 THE CLERK: Yes,
18 Mr. Chairman.

19 That would be Bill No.
20 240009, entitled an ordinance
21 establishing parking regulations in
22 the vicinity of Gross Street and
23 Arch Street; Dewey Street and
24 Market Street; Arch Street to North
25 57th Street; North 61st Street

1 between Arch Street and Race
2 Street; North 57th Street and
3 Market Street.

4 And it will be Bill No.
5 240011, entitled an ordinance
6 establishing regulations in the
7 vicinity of Pechin Street and Green
8 Lane and Markle Street; Umbria
9 Street and Lemonte Street, Manayunk
10 Avenue to Hermit Street; Seville
11 Street and Terrace Street;
12 Salaignac Street and Pechin Street;
13 Rector Street and Pechin Street;
14 Fountain Street and Smick Street.

15 COUNCILMAN YOUNG: Thank
16 you.

17 Are there any other
18 witnesses to testify on these
19 bills?

20 (No response.)

21 COUNCILMAN YOUNG: Seeing
22 none, thank you, Mr. Emerson, for
23 your time today.

24 MR. EMERSON: Thank you.

25 COUNCILMAN YOUNG:

1 Mr. Pullin, can you please read the
2 title of the next bill.

3 THE CLERK: Yes,
4 Mr. Chairman.

5 Bill No. 240014, entitled
6 amending Title 9 of The
7 Philadelphia Code by amending
8 Section 9-203 related to street
9 vendors by prohibiting vending in
10 the 54th Ward, all under certain
11 terms and conditions.

12 COUNCILMAN YOUNG: Thank
13 you.

14 Mr. Pullin, will you please
15 read the name of the next witness
16 to testify.

17 THE CLERK: Yes,
18 Mr. Chairman.

19 The next witness to testify
20 is Sarah Adamo, Legislative Affairs
21 Manager for the Department of
22 Licenses & Inspections.

23 (No response.)

24 COUNCILMAN YOUNG: Is
25 Ms. Adamo or is there anyone

1 willing to testify on Bill No.

2 240014?

3 (No response.)

4 COUNCILMAN YOUNG: Thank
5 you.

6 Mr. Pullin, please note
7 that there was written testimony
8 submitted by Ms. Adamo, and that
9 testimony will be presented to the
10 record.

11 Mr. Pullin, can you the
12 please read the title of the next
13 bill, please.

14 THE CLERK: Bill No. 24 --

15 COUNCILWOMAN AHMAD:

16 Mr. Chair, just a comment for
17 (inaudible). I have a comment on
18 this bill.

19 COUNCILMAN YOUNG: Chair
20 recognizes Councilwoman Ahmad.

21 COUNCILWOMAN AHMAD: Thank
22 you so much. I just have sort of a
23 statement on the street vendors for
24 vending on 54th Street more
25 globally, not specifically about

1 this street. But the fact that
2 these are our small businesses and
3 I would like the Department of
4 Commerce to support those who do
5 vending in this manner and to make
6 sure they are properly licensed and
7 do the due diligence to make them
8 proper businesses. But sometimes
9 vending trucks are the step to
10 brick-and-mortars.

11 And so, I just want to go
12 on the record saying that this is
13 something we should support in
14 terms of where, with the support of
15 neighbors of course and what areas,
16 but that this is a viable small
17 business opportunity and that we
18 should work with Commerce to make
19 sure they're viable. Thank you.

20 COUNCILMAN YOUNG: No,
21 thank you, Councilwoman.

22 Mr. Pullin, can you please
23 read -- is there any other
24 testimony on this bill?

25 (No response.)

1 COUNCILMAN YOUNG: Seeing
2 none, Mr. Pullin, could you please
3 read the title of the next bill.

4 THE CLERK: Bill No. 240016
5 titled an ordinance amending
6 Chapter 11-708 of The Philadelphia
7 Code, entitled "Traffic Calming
8 Measures for Schools," by
9 authorizing the Department of
10 Streets to additionally install
11 traffic calming measures in the
12 vicinity of recreation centers,
13 playgrounds, parks and libraries,
14 all under certain terms and
15 conditions.

16 COUNCILMAN YOUNG: Thank
17 you.

18 Mr. Pullin, would you
19 please call the name of the
20 witnesses.

21 THE CLERK: The next
22 witness to testify is Noelle
23 Marconi, Director of Legislative
24 Affairs for the Department of
25 Streets.

1 (Witness approached Witness
2 table.)

3 COUNCILMAN YOUNG: Good
4 morning, Ms. Marconi. Could you
5 please proceed with your testimony.

6 MS. MARCONI: Good morning,
7 Chairperson Young and members of
8 the Streets and Services Committee.
9 My name is Noelle Marconi and I am
10 the Director of Legislative Affairs
11 for the Department of Streets. I
12 am here to offer testimony on Bill
13 No. 20016, introduced by
14 Councilmember Lozada. Joining me
15 today from the Streets Department
16 is Pat Callahan.

17 This bill authorizes the
18 Department of Streets to install
19 traffic calming measures in the
20 vicinity of recreation centers,
21 playgrounds, parks and libraries.
22 This bill will allow the Department
23 of Streets to install speed
24 cushions, speed tables and rumble
25 strips in the vicinity of

1 recreation centers, playgrounds,
2 parks and libraries without first
3 doing a traffic study, which is
4 normally a required process.

5 This will allow the
6 Department to install such measures
7 in a timelier manner. It is the
8 goal of the Department to slow down
9 the speed of cars in the City in
10 order to protect the safety of
11 Philadelphia residents and
12 visitors. The Department hopes to
13 install speed cushions throughout
14 the City as funding becomes
15 available. This concludes my
16 testimony, and I will be pleased
17 to answer any questions you may
18 have.

19 COUNCILMAN YOUNG: Thank
20 you, Ms. Marconi.

21 Are there any questions
22 from members of the Committee?

23 (No response.)

24 COUNCILMAN YOUNG: Seeing
25 none, thank you for your testimony.

1 MS. MARCONI: Thank you.

2 COUNCILMAN YOUNG: Are
3 there any other witnesses wishing
4 to testify on Bill No. 240016?

5 (No response.)

6 COUNCILMAN YOUNG: Seeing
7 none, Mr. Pullin, would you please
8 call -- read the title of the next
9 bill.

10 THE CLERK: Bill No.
11 240089, titled an
12 ordinance amending Title 12 of The
13 Philadelphia Code entitled,
14 "Traffic Code," by providing for
15 prohibitions relating to license
16 plate flipping devices, and for
17 penalties and enforcement, all
18 under certain terms and conditions.

19 COUNCILMAN YOUNG: Thank
20 you, Mr. Pullin. Would you please
21 call the next witness.

22 THE CLERK: The next
23 witness to testify is Francis
24 Healy, Deputy Commissioner of the
25 Philadelphia Police Department.

1 (Witness approached Witness
2 table.)

3 COUNCILMAN YOUNG: Good
4 morning, Mr. Healy. Please state
5 your name for the record and
6 proceed with your testimony.

7 DEPUTY COMMISSIONER HEALY:
8 Good morning, Chairmember Young,
9 Vice-Chair -- he's not here --
10 Vice-Chair Squilla and other
11 members of the Committee on Streets
12 and Services. My name is Francis
13 Healy and I'm Deputy Commissioner
14 in the Philadelphia Police
15 Department.

16 On behalf of Commissioner
17 Bethel, thank you for allowing the
18 Police Department the opportunity
19 to voice its opinion on Bill No.
20 240089, sponsored by Councilmember
21 Driscoll that prohibits license
22 plate flipping devices. Let me
23 state at the outset that the
24 Philadelphia Police Department
25 fully supports this bill as well as

1 the manner in which it was drafted.

2 I will get to the drafting

3 in a second. But you should

4 realize that many states have

5 already banned or are in the

6 process of introducing legislation

7 banning the use of these devices.

8 At the state level, these offenses

9 are actually considered misdemeanor

10 violations. They're not just

11 traffic summary citations, but

12 rather criminal misdemeanor

13 violations.

14 This goes directly to the

15 criminal intent of the owner and

16 the operator of the vehicle. There

17 is only one purpose for installing

18 these devices on a vehicle. It is

19 to engage in crime or disorder

20 without being identified by law

21 enforcement. This is the very

22 reason why the PPD supports this

23 legislation.

24 This takes me back to my

25 comment about the manner in which

1 the bill is drafted. There is no
2 legitimate lawful purpose for these
3 devices. As such, banning the use
4 of the equipment while operating a
5 motor vehicle would be a help for
6 certain -- it would be entirely
7 short-sighted.

8 Since these devices have no
9 legitimate purpose, the prohibition
10 must go much further and this bill
11 does. This bill prohibits persons
12 from also purchasing, installing,
13 possessing, for the purpose of
14 installing, manufacturing, sell,
15 offer to sell or otherwise
16 distribute a license plate tag
17 flipping device in Philadelphia.

18 I believe this broad ban is
19 necessary to address these devices.
20 This ban would include any auto
21 shop selling or installing any of
22 these devices which would also be
23 subject to the provisions of this
24 bill. Equally important, the
25 businesses who are contributing to

1 the problem, a citation under this
2 new section can be used under The
3 Philadelphia Code 9-4400 to
4 establish the location as a chronic
5 nuisance business.

6 So as you can see, the
7 Philadelphia Police Department
8 fully supports the bill. And I
9 would like to take the opportunity
10 to thank Council for being
11 proactive on this measure and not
12 relying or waiting on the state to
13 move forward on these devices.

14 Individuals use these
15 devices for one reason, to avoid
16 identification while engaging in
17 crime disorder. Again, on behalf
18 of Commissioner Bethel, thank you
19 for allowing the Department to
20 voice its opinion. I would be
21 happy to answer any questions.

22 COUNCILMAN YOUNG: Thank
23 you, Mr. Healy. I do have one
24 question. Does the Police
25 Department have a specific type of

1 training to spot these type of
2 devices and how will this be
3 enforced?

4 DEPUTY COMMISSIONER HEALY:

5 Not as of yet because we haven't
6 had the ordinance. But we will put
7 something -- they're quite visible.
8 You can see them. We would put out
9 a training bulletin, which would
10 put up pictures identifying so you
11 can see them. But also, we see
12 people with them actually in use.

13 They're used a lot of times
14 with these drifting events and
15 those type of car meets. You can
16 see them actually flipping the tags
17 back and forth. So you can
18 actually see this happening. And
19 it's not like James Bond, it flips
20 to another tag number. It'll flip
21 to a blank so you can't see, so it
22 goes to a legitimate tag to a blank
23 screen so you can't see anything.
24 So they do that as they go across
25 the bridges and the toll roads to

1 avoid payment on the toll, but
2 they're also doing a lot of that
3 with these high-end cars that come
4 into the City doing the drifting.

5 COUNCILMAN YOUNG: Thank
6 you. So the presence of these
7 devices will create probable cause
8 for an officer to pull over a
9 vehicle?

10 DEPUTY COMMISSIONER HEALY:
11 Probable cause for this violation,
12 yes, absolutely. So that's a
13 higher standard than reasonable
14 suspicion.

15 COUNCILMAN YOUNG:
16 Reasonable suspicion, thank you.
17 Are there any other
18 questions from members of the
19 Committee?

20 COUNCILMAN SQUILLA: I have
21 a question.

22 COUNCILMAN YOUNG: Chair
23 recognizes Councilman Squilla.

24 COUNCILMAN SQUILLA: Thank
25 you, Mr. Chair.

1 Thank you, Deputy, for your
2 testimony. Does it have to be a
3 moving violation at this point or
4 can it be enforced while somebody
5 is parked?

6 DEPUTY COMMISSIONER HEALY:
7 I'm sorry. Say that again.

8 COUNCILMAN SQUILLA: Does
9 it have to be a moving violation?

10 DEPUTY COMMISSIONER HEALY:
11 No. Having this on the vehicle in
12 and of itself would be a violation
13 of the City ordinance. That's why
14 I commented on how it was drafted.
15 I think that allows us to take
16 proactive action with it just
17 merely on the car.

18 COUNCILMAN SQUILLA: And
19 therefore --

20 DEPUTY COMMISSIONER HEALY:
21 So you don't have to be in
22 operation.

23 COUNCILMAN SQUILLA: And
24 it's not even an encounter with an
25 individual. It'd just be on that

1 particular vehicle?

2 DEPUTY COMMISSIONER HEALY:

3 Correct.

4 COUNCILMAN SQUILLA: Okay.

5 Thank you.

6 COUNCILMAN YOUNG: Thank
7 you. Any other questions for this
8 witness by members of the
9 Committee?

10 (No response.)

11 COUNCILMAN YOUNG: Thank
12 you, Mr. Healy. I appreciate your
13 testimony.

14 DEPUTY COMMISSIONER HEALY:
15 Thank you very much.

16 COUNCILMAN YOUNG: Is there
17 any members of the public who wish
18 to testify on Bill No. 240089?

19 (No response.)

20 COUNCILMAN YOUNG: Seeing
21 none, we will now transition into
22 our public comment. But there's no
23 one here to testify on public
24 comment.

25 So, Mr. Pullin, we will now

1 transition into our public meeting.

2 I will note for the record that a
3 quorum of the Committee is present.

4 The Chair recognizes
5 Councilmember Squilla for a motion
6 on the amendment to Bill No.
7 240014.

8 COUNCILMAN SQUILLA: Thank
9 you, Mr. Chairman.

10 I offer an amendment to
11 Bill No. 240014. A copy of the
12 amendment has been circulated to
13 all members of the Committee. I
14 move that the amendment to Bill No.
15 240014 be adopted.

16 COUNCILMAN YOUNG: Can I
17 get a second?

18 COUNCILMAN HARRITY:
19 Second. I'm sorry.

20 COUNCILWOMAN AHMAD:
21 Second.

22 COUNCILMAN YOUNG: Thank
23 you. It has been moved and
24 properly seconded that the
25 amendment to Bill No. 240014 be

1 adopted.

2 All those in favor of the
3 motion will signify by saying aye.

4 (Aye.)

5 COUNCILMAN YOUNG: Those
6 opposed?

7 (No response.)

8 COUNCILMAN YOUNG: The ayes
9 have it. Thank you. This
10 amendment has been adopted.

11 The Chair recognizes
12 Councilmember Squilla for a motion
13 on Bill Nos. 240008, 240009,
14 24000 -- I'm sorry -- 240011,
15 240014, 240016 as amended, and
16 240089.

17 COUNCILMAN SQUILLA: Thank
18 you, Mr. Chairman.

19 I move that Bill Nos.
20 240008, 240009, 240011, 240014, as
21 amended, 240016 and 240089 be
22 reported from this Committee with a
23 favorable recommendation and
24 further move that the rules of
25 Council be suspended to permit the

1 first reading of this bill at the
2 next session of Council.

3 (Duly seconded.)

4 COUNCILMAN YOUNG: Thank
5 you. It has been moved and
6 properly seconded that Bill Nos.
7 240008, 240009, 240011, 240014 as
8 amended, 240016 and 240089 be
9 reported from this Committee with a
10 favorable recommendation and
11 further move that the rules of
12 Council be suspended to permit the
13 first reading of these bills at the
14 next session of Council.

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

17 (Aye.)

18 COUNCILMAN YOUNG: All
19 those opposed?

20 (No response.)

21 COUNCILMAN YOUNG: Ayes
22 have it. Thank you. These bills
23 just spoke on will be reported from
24 this Committee with a favorable
25 recommendation with a request that

1 the rules of Council be suspended
2 to permit first reading at the next
3 Council session.

4 Are there any other remarks
5 by members of the Committee?

6 (No response.)

7 COUNCILMAN YOUNG: Seeing
8 none, this concludes the business
9 before the Committee of Streets and
10 Services today. Thank you very
11 much for your attendance.

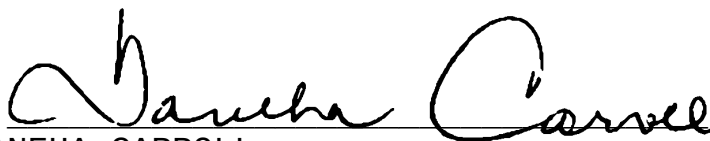
12 COUNCILMAN HARRITY: Thank
13 you. Great job, Mr. Chair.

14 (Committee on Streets and
15 Services concluded at 10:33 a.m.)

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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 that this is a
correct transcript of the same.

A handwritten signature in black ink, appearing to read "Taneha Carroll", is written over a horizontal line.

TANEHA CARROLL
Court Reporter - Notary Public

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