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COUNCIL OF THE CITY OF PHILADELPHIA

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COMMITTEE ON LICENSES AND INSPECTIONS

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Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, September 22, 2010
1:40 p.m.

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PRESENT:

10 COUNCILWOMAN MARIA D. QUINONES-SANCHEZ, CHAIR

11 COUNCILMAN DARRELL CLARKE

12 COUNCILMAN BILL GREEN

13 COUNCILMAN WILLIAM K. GREENLEE

14 COUNCILMAN JACK KELLY

15 COUNCILWOMAN JOAN KRAJEWSKI

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BILL 100288 - An ordinance amending Chapter
9-600 of The Philadelphia Code, entitled
"Service and Other Businesses," by amending
Section 9-613, entitled "Junk Dealers," by
requiring Junk Dealers to obtain from each
customer a photocopy of valid government
issued photo identification pursuant to each
business transaction.

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COUNCILWOMAN SANCHEZ: Thank

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you. I want to call to order the

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Committee on Licenses and Inspections.

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With a quorum being established, to my

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far right Councilman Bill Green,

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Councilman Bill Greenlee. To my left,

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Councilman Jack Kelly, who is on the

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Committee, and the bill sponsor,

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Councilman Darrell Clarke.

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Will the Clerk please read the

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title of the bill.

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THE CLERK: Bill No. 100288, an

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ordinance amending Chapter 9-600 of The

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Philadelphia Code, entitled "Service and

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Other Businesses," by amending Section

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9-613, entitled "Junk Dealers," by

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requiring Junk Dealers to obtain from

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each customer a photocopy of valid

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government issued photo identification

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pursuant to each business transaction.

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COUNCILWOMAN SANCHEZ: Thank

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you.

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Councilman Clarke, the sponsor

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of the bill, comments, please.

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2 COUNCILMAN CLARKE: Thank you,
3 Madam Chair, and I thank you for allowing
4 me to make brief comments on the bill.

5 First, I would like to say that
6 what we don't want to do is cast
7 aspersions about the number of salvage
8 dealers throughout the City of
9 Philadelphia. We believe that most of
10 them are good businesspeople that abide
11 by the law.

12 And the other thing is that we
13 don't want to create a burdensome process
14 for people who are legitimately getting
15 refuge or bringing in materials that are
16 essentially stuff that has been
17 discarded. But there is a problem, and
18 has been for a while, where there are a
19 number of people -- and we found out that
20 there is actually in some instances an
21 organized effort to take materials from
22 homes, from vehicles, from other places,
23 sometimes within the homes, and they are
24 stealing them from individuals and
25 property owners and they're taking that

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2 to salvage yard owners and selling them.

3 And these materials are obviously stolen.

4 There's not what we believe to be a

5 mechanism in place that first would

6 require that these people that are making

7 these sales are legitimately the owners

8 of the property, that property that they

9 are selling, and we believe that this

10 bill will give us, the City and

11 particularly the Police Department and

12 the Department of License and

13 Inspections, a mechanism that will, in

14 the event that there is stolen material

15 either found or reports of stolen

16 material, gives them an opportunity to

17 find out who the culprit was.

18 So while this may be a small

19 burden to salvage yard owners, we feel

20 that this is a reasonable approach to try

21 and ensure that we do away with these

22 people stealing from individual homes and

23 companies and properties and vehicles and

24 all of the other places that they're

25 taking material and ensure that we know

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2 who is selling these products to these
3 salvage owners.

4 So I want to thank you all for
5 hearing this bill and would hope for your
6 full support.

7 COUNCILWOMAN SANCHEZ: Thank
8 you.

9 I want to recognize that
10 Councilwoman Joan Krajewski, Vice-Chair
11 of the Committee, is also present.

12 I also sent this bill to many
13 of the salvage companies that I have in
14 my particular district. We did not hear
15 back from them with any opposition, so
16 hopefully we will get through this very
17 quickly.

18 I want to call Mr. Otis Haigler
19 from L&I and Lieutenant Francis Healy to
20 come forward with their testimony, and
21 then I believe we just have Lisa
22 Caulfield. If there's anybody else here
23 who has come to testify, let us know.

24 (Witnesses approached witness
25 table.)

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2 COUNCILWOMAN SANCHEZ: Please
3 identify yourself for the record.

4 MR. HAIGLER: Good afternoon,
5 Chairwoman Sanchez and members of the
6 Committee. I am Otis Haigler, Jr.,
7 Director of Legislative Affairs for the
8 Department of Licenses and Inspections.
9 Today I'm here to provide testimony on
10 Bill 100288, which, if enacted, will
11 amend Section 9-613 of The Philadelphia
12 Code to require that the operator of junk
13 shops must request and record certain
14 forms of identification from individuals
15 seeking to transact business.

16 The bill further amends the
17 penalty provisions with regard to
18 violations of this Section of the Code to
19 classify such violations as Class II
20 offenses subject to court-imposed fines
21 of up to \$1,000 for each offense.

22 The proposed bill will have no
23 impact on the Department of Licenses and
24 Inspections and, therefore, we offer no
25 objections to its enactment.

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2 Thank you for the opportunity
3 to provide the testimony for the
4 Department. I'll be happy to answer any
5 questions.

6 COUNCILWOMAN SANCHEZ: Thank
7 you. We'll proceed with Lieutenant
8 Healy.

9 LIEUTENANT HEALY: Very
10 quickly, Lieutenant Healy from the
11 Philadelphia Police Commissioner's
12 Office. Again, thank you for allowing
13 the Police Department to voice its
14 opinion.

15 We are actually a proponent for
16 pushing this type of legislation for the
17 very reasons the Councilman indicated.
18 We fully support it, but I'd also add not
19 only is it reasonable, it's consistent
20 with other provisions in the statute
21 regarding precious metals and the other
22 legislation regarding pawn shops. So the
23 same type of identification is required
24 for all three type of entities.
25 Therefore, not only is it reasonable,

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2 it's consistent throughout the Code.

3 For those reasons, the
4 Department would fully support enactment
5 of the bill.

6 Thank you.

7 COUNCILWOMAN SANCHEZ: Thank
8 you, Lieutenant Healy.

9 Any comments from the Committee
10 for our witnesses?

11 (No response.)

12 COUNCILWOMAN SANCHEZ: Seeing
13 none, if we can have Lisa Caulfield from
14 the DA's Office. Is she still here?

15 (No response.)

16 COUNCILWOMAN SANCHEZ: Is she
17 still here?

18 (No response.)

19 COUNCILWOMAN SANCHEZ: Okay.
20 No one here wishing to testify upon this
21 bill, I call on Councilman Kelly on the
22 amendment to Bill 100288.

23 COUNCILMAN KELLY: Thank you,
24 Madam Chair. I move that the amendment
25 to Bill No. 100288 be moved out of this

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2 Committee.

3 (Duly seconded.)

4 COUNCILWOMAN SANCHEZ: Oh, I'm
5 sorry. I didn't move into the public
6 meeting.

7 We've ended our hearing session
8 and we're going into the public meeting.
9 My apologies.

10 Councilman Kelly, your motion.

11 COUNCILMAN KELLY: Yes. Madam
12 Chair, I move that the amendment to Bill
13 No. 100288 be approved by this Committee.

14 (Duly seconded.)

15 COUNCILWOMAN SANCHEZ: All in
16 favor?

17 (Aye.)

18 COUNCILWOMAN SANCHEZ: Any
19 oppositions?

20 (No response.)

21 COUNCILWOMAN SANCHEZ: Thank
22 you.

23 Councilman Greenlee for a
24 motion on the amended bill.

25 COUNCILMAN GREENLEE: Thank

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2 you, Madam Chair. I move that Bill No.
3 100288, as amended, be reported out of
4 this Committee with a favorable
5 recommendation and the rules of Council
6 be suspended to allow for first reading
7 at our next session of Council.

8 COUNCILWOMAN SANCHEZ: Do I
9 hear a second?

10 (Duly seconded.)

11 COUNCILWOMAN SANCHEZ: All in
12 favor?

13 (Aye.)

14 COUNCILWOMAN SANCHEZ: Any
15 oppositions?

16 (No response.)

17 COUNCILWOMAN SANCHEZ: Bill
18 100288, as amended, will be moved out of
19 the L&I Committee with a favorable
20 recommendation and the rules of Council
21 be suspended to allow first reading at
22 our next public session.

23 Thank you very much all for
24 your patience.

25 That concludes the L&I hearing.

1 9/22/10 - L&I - BILL 100288
2 (Committee on Licenses and
3 Inspections concluded at 1:50 p.m.)

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CERTIFICATE

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I HEREBY CERTIFY that the

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proceedings, evidence and objections are

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contained fully and accurately in the

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stenographic notes taken by me upon the

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foregoing matter on September 22, 2010, and

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that this is a true and correct transcript of

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same.

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MICHELE L. MURPHY

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RPR-Notary Public

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