

Committee on Licenses and Inspections
October 23, 2018

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COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON LICENSES AND INSPECTIONS

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, October 23, 2018
1:15 p.m.

PRESENT:

COUNCILWOMAN MARIA D. QUINONES-SANCHEZ, CHAIR
COUNCILMAN ALLAN DOMB
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN KENYATTA JOHNSON
COUNCILMAN AL TAUBENBERGER

BILLS 180648 and 180700

- - -

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2 COUNCILWOMAN SANCHEZ: Thank
3 you. The Committee on Licenses and
4 Inspections will now be called to order
5 having established quorum. To my right,
6 the Vice Chair, Councilman Domb. To my
7 left, Councilman Greenlee, and to his
8 left, Councilman Kenyatta Johnson.

9 Will the Clerk read the title
10 of the bill.

11 THE CLERK: Bill No. 180648, an
12 ordinance amending Title 9, Chapter 600
13 of The Philadelphia Code, entitled
14 "Service and Other Businesses," to
15 establish a license and related
16 requirements for tire dealers, all under
17 certain terms and conditions.

18 COUNCILWOMAN SANCHEZ: Thank
19 you.

20 For the record, Bill 180700,
21 lead in schools, will be held to the call
22 of the Chair and the bill sponsor.

23 I want to call the
24 Administration up, Nic Esposito, the
25 Director of Zero Waste and Litter

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2 Cabinet, and Rebecca Swanson who worked
3 with us.

4 (Witnesses approached witness
5 table.)

6 COUNCILWOMAN SANCHEZ: As we
7 get a handle on the issues of trash and
8 dumping, one of the issues that has been
9 plaguing the City has been the dumping of
10 tires. I normally think that we've taken
11 care of everything and I did not realize
12 that we don't have an official tire
13 license and we don't keep a handle on
14 folks who sell tire licenses to ensure
15 that they have contractors with dumpers,
16 and I'm sure many of us feel that all of
17 that transaction ends up on the streets
18 and in the neighborhoods, and ultimately
19 the City of Philadelphia is responsible.

20 Over the years, the tire
21 round-up, which the Administration can
22 speak to, has been one of the efforts
23 that we have tried to promote to help us
24 with the tires. We hope that today's
25 bill and ultimately implementation and

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2 enforcement will help us with this
3 massive problem.

4 So I'll leave it to Nic
5 Esposito and Rebecca, who both worked
6 with my office with this over the last
7 six months, to start off, and then we
8 have a couple of community residents who
9 are going to weigh in.

10 So I don't know who wants to
11 start, Nic or Rebecca.

12 MR. ESPOSITO: Good afternoon,
13 Chairwoman Quinones-Sanchez and members
14 of the Committee. My name is Nic
15 Esposito and I'm the Director of the Zero
16 Waste and Litter Cabinet in the Managing
17 Director's Office. I'm here to offer
18 testimony on Bill 180648 sponsored by
19 Chairwoman Quinones-Sanchez regarding
20 amending Title 9, Chapter 600 of The
21 Philadelphia Code, entitled "Service and
22 Other Businesses," to establish a license
23 and related requirements for tire
24 dealers, under all certain terms and
25 conditions.

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2 Illegal tire dumping continues
3 to be one of the most frequent reports of
4 illegal dumping that I receive from
5 residents, businesses, and my City
6 colleagues. Aside from being
7 neighborhood eyesores, tires are made of
8 very dangerous chemicals and, when
9 dumped, can act as menacing
10 mosquito-breeding grounds when filled
11 with water.

12 Through the Cabinet's research,
13 we discovered three challenges that are
14 key in regulating tire dumping. Number
15 one, due to the environmental impact of
16 tires, it is imperative that we know who
17 is producing waste tires and how they are
18 disposing of these waste tires.

19 Number two, the Pennsylvania
20 Department of Environmental Protection
21 currently requires all tire dealers to
22 maintain manifests of recycled tires to
23 comply with state regulation on tire
24 disposal, but without a manifest on the
25 tires that are brought into the shop

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2 through sale or repair, which most
3 point-of-sale systems already record, it
4 is a challenge to monitor if a tire shop
5 is responsibly disposing of all tires.

6 And, number three, a waste
7 hauler cannot haul tires in the State of
8 PA without a license from the PADEP.
9 However, enforcing and tracking who is
10 hauling their waste in the City of
11 Philadelphia is a challenge due to the
12 lack of records and awareness on behalf
13 of the tire dealers.

14 This tire dealer license is
15 critical because it allows Licenses and
16 Inspections to collect data on who is
17 handling waste tires, how they are
18 disposing, and creates a record of the
19 amount of tires handled by a facility and
20 who did the disposal. The Cabinet is
21 working very hard to improve our arrest
22 and prosecution of illegal tire dumpers,
23 and we know that we will not arrest --
24 but we do know that we will not arrest
25 our way out of this issue. We need

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2 better regulation of the industry, and
3 that's exactly what this license
4 achieves.

5 In closing, the Zero Waste and
6 Litter Cabinet supports this bill in that
7 it is a tool to better manage the
8 collection and disposal of tires. We
9 thank the Chairwoman for introducing this
10 bill, and I am happy to answer any
11 questions you may have after Rebecca.

12 COUNCILWOMAN SANCHEZ: Thank
13 you. We'll let Rebecca go.

14 MS. SWANSON: Good afternoon,
15 Chairwoman Quinones-Sanchez and members
16 of the Committee. My name is Rebecca
17 Swanson. I'm the Planning Director for
18 the Department of Licenses and
19 Inspections. I am here to provide
20 testimony on Bill No. 180648, which, if
21 enacted, will amend Section 9-600 of The
22 Philadelphia Code, entitled "Service and
23 Other Businesses," to establish a license
24 and related requirements for tire
25 dealers.

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2 As Nic testified, illegal tire
3 dumping is a pervasive problem throughout
4 the City, and at least part of the
5 problem can be attributed to unscrupulous
6 tire dealers who dump used tires on
7 vacant lots and in other unpermitted
8 areas, creating a fire hazard and a
9 public safety risk. L&I is, therefore,
10 happy to support the Zero Waste and
11 Litter Cabinet in its effort to address
12 this issue.

13 L&I will create a new tire
14 dealer license, which must be obtained by
15 all businesses that deal in the purchase
16 or sale of new or used tires. The
17 license will be renewable annually at a
18 cost of \$300 per year, and it will
19 require the licensee to provide L&I with
20 certain information about the operation
21 of its business. The information
22 required on the license application will
23 be information that any legitimate tire
24 business already has at its fingertips,
25 including contact information, zoning

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2 approval, and certification of Fire Code
3 compliance.

4 The license also requires that
5 the licensee disclose the name of the
6 waste hauler with whom it has a contract
7 to dispose of its waste tires. Haulers
8 of waste tires must be licensed by the
9 state, and it is expected that tire
10 dealers are already using a properly
11 licensed waste hauler. The licensee must
12 list this waste hauler on the
13 application, and eventually the online
14 application will contain an automatic
15 drop-down box pre-populated with all
16 state licensed waste haulers.

17 In addition to creating this
18 new license, the bill proposes a
19 requirement that tire dealers must keep a
20 manifest of all tires that come into the
21 business and all tires that go out of the
22 business, whether through sale or as
23 waste. Again, any legitimate tire
24 business has some, if not all, of this
25 information already easily accessible.

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2 The state DEP already requires tire
3 dealers to maintain a list of disposed
4 tires. Now the dealer will have to
5 expand that list to include acquired and
6 sold tires.

7 To speak briefly about the
8 operational rollout, the proposed bill
9 will become effective after the
10 completion of L&I's eCLIPSE project,
11 which is scheduled to wrap up in June
12 2019. At that time, L&I will create an
13 online application for this license which
14 all applicants will be strongly
15 encouraged to use. In the meantime, the
16 Zero Waste and Litter Cabinet will be
17 doing outreach to businesses to inform
18 them of the upcoming change, and as with
19 all new licenses, a grace period will be
20 granted to ensure that all those wishing
21 to come into compliance are given
22 sufficient time to do so.

23 We believe that this bill will
24 be effective in holding all tire dealers
25 in the City to a basic level of

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2 accountability to which they should have
3 already been adhering. We wish to thank
4 both the Zero Waste and Litter Cabinet
5 and Councilwoman Quinones-Sanchez for
6 their leadership on this issue.

7 Thank you for the opportunity
8 to present the Department's testimony.
9 Happy to answer any questions.

10 COUNCILWOMAN SANCHEZ: Real
11 quickly just some stuff for the record,
12 and maybe Nic can speak to this. How
13 does this align with some of the short
14 dumping initiatives that you're
15 undertaking right now?

16 MR. ESPOSITO: Yes. So when we
17 put forth our short-term list of
18 recommendations to the Zero Waste and
19 Litter Action Plan, again, this kind of
20 goes to that thinking that we do need to
21 tighten up our enforcement and we need to
22 enforce more on these issues, and having
23 this kind of paper trail that we can
24 create through who is hauling these tires
25 out of these shops and then also

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2 understanding how many tires are coming
3 in and how many tires are going out is
4 going to really lead to build that body
5 of evidence for greater enforcement.

6 And then on the other side, as
7 I state in here, I think we all
8 reasonably can understand we can't just
9 arrest our way out of the problem. We do
10 have to kind of further regulate how
11 these operations are doing business,
12 creating better monitoring of what's
13 happening. And so that's the kind of
14 follow-up to what our goals are in the
15 Zero Waste and Litter Cabinet, that kind
16 of more holistic view of the immediate
17 enforcement but the longer term kind of
18 changes on how the industry operates.

19 COUNCILWOMAN SANCHEZ: As part
20 of your litter index, have you identified
21 all of the major tire dumping locations?
22 Like does that exist?

23 MR. ESPOSITO: So we rely on
24 311. You know, we can filter out
25 complaints. We've recently made some

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2 really great advances in how we collect
3 data on 311 where we're filtering out
4 what we call heavy short dumps and we're
5 asking 311 respondents to be able to get
6 that, and that's giving us a way better
7 piece of information. It was -- all
8 litter and waste was or dumping was in
9 one place. This litter index, we didn't
10 do this the first year, but we changed a
11 little bit on the app and now with the
12 litter rating, the inspectors are also
13 putting down what they're seeing for what
14 kind of litter. So if they see tires,
15 we'll be able to kind of see where we saw
16 some dumping, if it was a 3 or a 4, which
17 is the worst side of the scale on the
18 ratings, and then what kind of materials
19 are we seeing. So we'll have more data
20 on that in January.

21 COUNCILWOMAN SANCHEZ: Okay.

22 So do we have a sense of how many folks
23 would be eligible for this license based
24 on your business scan, Rebecca?

25 MS. SWANSON: We don't, because

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2 a lot of them are zoned and they have the
3 auto-related uses, but they don't
4 necessarily -- not all of them
5 necessarily bring in the tires. So
6 that's really the license that we know
7 where these places are and we know who is
8 in charge of them and who we can go after
9 if there is an issue.

10 COUNCILWOMAN SANCHEZ: Okay.
11 Now, the issue with the tire hauler and
12 the state, so you're saying you're going
13 to pre-populate that in the eCLIPSE
14 program so we know who is an authorized
15 state hauler?

16 MS. SWANSON: Yes. So we have
17 the list from the state of who is already
18 approved, and this actually is going to
19 tie back to another bill that was passed
20 last year about construction debris,
21 because we know that's another part of
22 the short dumping issue, that when you
23 get a building permit for a certain level
24 of work, of alterations on your
25 construction work, you're going to have

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2 do the same thing. You're going to have
3 to list your waste hauler, and there will
4 be a drop-down box on the permit
5 application to say this is who is going
6 to be taking my construction debris away.
7 It's going to be the same exact thing for
8 this license. It will be a drop-down.
9 Well, that's why we're really going -- if
10 they're doing the paper application,
11 they're going to have to handwrite it in
12 obviously, but we're pushing everyone
13 online when eCLIPSE is finished, and the
14 hope is that way, even if they don't
15 necessarily know who they should hire,
16 they'll have a list of somebody that they
17 can choose from.

18 COUNCILWOMAN SANCHEZ: Who is
19 authorized.

20 MS. SWANSON: Yeah.

21 COUNCILWOMAN SANCHEZ: Just to
22 clarify for the record, if you are
23 dealing in a tire, you're already
24 required to keep certain information,
25 right? So we're not really asking a

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2 whole lot above what they currently keep
3 as part of this program. Or what's the
4 difference between what they're required
5 to do right now versus what we're going
6 to be doing here?

7 MS. SWANSON: So for the
8 license application, everything that
9 they're going to need for the application
10 they already should have. They should be
11 using a licensed waste hauler already.
12 They already have to have zoning approval
13 to operate as an auto-related business.
14 They already have their certification for
15 their fire suppression systems and things
16 like that. So really -- then there's the
17 manifest, and you can -- Nic can speak a
18 little bit about what the DEP requires
19 already at the state level.

20 MR. ESPOSITO: So the DEP
21 already requires manifests of recycling,
22 so that you went and recycled these tires
23 and how you disposed of them. If you
24 were to go get your tires changed, you
25 would look on your bill and there's

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2 usually a \$2 fee that they're also
3 supposed to collect, and that goes
4 towards the recycling programs in the
5 state.

6 What we, again, identified as a
7 problem is that although the DEP gets
8 that information, the fact that they
9 weren't getting information on the
10 up-front of what was actually coming in,
11 you couldn't kind of compare both of
12 those to say, okay, you brought in a
13 hundred tires this week in the sales that
14 you did, but you only recycled 50,
15 where's the other 50. And we have talked
16 with the DEP on this, and they are very
17 excited about this bill as well, and they
18 would be conducting joint inspections
19 with L&I to ask for both pieces of
20 information.

21 Another piece too is that they
22 also have trouble just knowing who to
23 inspect. Sometimes it's complaint
24 driven. They really don't have the
25 greatest landscape of what tire dealers

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2 look like in the City of Philadelphia.
3 So this information will be also very
4 beneficial for them.

5 COUNCILWOMAN SANCHEZ: And then
6 in terms of enforcement for folks that
7 we, through enforcement efforts, find out
8 that they're dumping, what are we
9 foreseeing?

10 MR. ESPOSITO: Well, one thing
11 we've already shown is, we've already had
12 some cases where we were working through
13 Environmental Crimes in the Police
14 Department with people who are dumping
15 tires and being able to trace those
16 people back to certain shops. So it kind
17 of goes both ways. If we see that
18 there's a shop in the neighborhood that
19 we're getting complaints on, we can go
20 inspect. If it doesn't look like numbers
21 are lining up, we also know who their
22 hauler is, and then we can go investigate
23 the hauler. Vice versa, if we catch a
24 hauler in the act or we know that they're
25 dumping, then we can tie them back to

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2 where they have -- we know where they
3 have contracts where they showed up on
4 these permits. We can go to those tire
5 shops and further investigate. And,
6 again, it's setting the tone that we're
7 not letting this slip through the cracks
8 anymore. We're going to really connect
9 this paper trail and have some oversight.

10 COUNCILWOMAN SANCHEZ: The
11 Chair recognizes that Councilman
12 Taubenberger has joined us, and I will
13 recognize Councilman Domb for questions.

14 COUNCILMAN DOMB: Thank you,
15 Madam Chairwoman.

16 And good afternoon. I just
17 wanted to make sure I understand what
18 we're planning on passing. In the bill
19 it says there will be a tire manifest for
20 each location that sells, purchases or
21 obtains in or disposes of any tires.
22 Every tire has an identification number
23 in each tire?

24 MR. ESPOSITO: Like a specific
25 identification number?

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2 MS. SWANSON: So I believe they
3 do.

4 COUNCILMAN DOMB: Here's my
5 question --

6 MS. SWANSON: I don't think
7 they trace back to someone.

8 COUNCILMAN DOMB: Let's say I
9 drive through an underpass in
10 Councilwoman Sanchez's district and I see
11 eight tires under the underpass. Are we
12 able to identify -- ten tires. Are we
13 able to identify those tires by who last
14 purchased them?

15 MR. ESPOSITO: To my knowledge,
16 there's been ideas kicked around on that
17 before of trying to have like identifying
18 markers on tires. There are certain
19 markers on tires, but actually as we
20 studied the industry, the tires can move
21 throughout the City onto like maybe three
22 or four different -- you have new tires
23 that came in, they end up in a shop, now
24 they're being sold as used tires. That
25 used tire is then used again, and then

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2 maybe it blows out and then another shop
3 repairs it and they ultimately take it
4 in.

5 Our research has shown
6 historically that it has been very, very
7 hard to just track that actual object
8 back to one person. That's why the paper
9 trail, if we had cameras and we caught
10 somebody who dumped those tires, we'd be
11 able to piece back where they came from.

12 COUNCILMAN DOMB: So if I'm a
13 resident in the City and I see ten tires
14 dumped in one of the District
15 Councilperson's district, what should I
16 do? Who should I call?

17 MR. ESPOSITO: So we actually
18 have this on Clean PHL for the Cabinet.
19 So if you're seeing it in action, you see
20 somebody dumping, we do recommend people
21 to call 911. If you see them after the
22 fact, we call 311 and report through.

23 We are studying to have better
24 information sharing. So if there seems
25 like an investigation is warranted, we

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2 can get someone out before the clean-up
3 happens to do an investigation, but most
4 times they're getting cleaned up. But,
5 again, it's all recorded, so as we see a
6 spot that's being hit over and over
7 again, now that we have more
8 investigative capacity, we can monitor
9 those spots better possibly if we can
10 actually catch someone in the act or know
11 that that might be a place where we need
12 to do more surveillance.

13 COUNCILMAN DOMB: Are people
14 dumping tires because it's too expensive
15 to do it the right way or are they just
16 lazy to bring them to the right location?

17 MR. ESPOSITO: So I think we
18 see this with even construction debris,
19 is that there's more outlets in the City
20 of Philadelphia to take construction
21 debris. Tires, I will admit, is a
22 challenge of where they go. There's some
23 tire recyclers within the region. We've
24 also had conversations with them to try
25 to -- as something like this comes on and

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2 they can see the amount of business they
3 can do, there could be places where they
4 can maybe do pick-ups, there could be
5 drop-off points and then they can be
6 transported out to -- as far as I
7 understand, I don't think that there's
8 any recyclers in the City of
9 Philadelphia. They do need to be
10 transported out, but when you're not
11 using a registered hauler who has that
12 information, who knows what they're doing
13 and is monitored by the state, if it's
14 just somebody with a truck who is trying
15 to make a quick buck, that's what's
16 happening with tires.

17 COUNCILMAN DOMB: So when a
18 tire dealer has a bunch of old tires,
19 they send them to a recycler? Is that
20 what occurs?

21 MS. SWANSON: Yes.

22 MR. ESPOSITO: Yes.

23 COUNCILMAN DOMB: And then
24 these tires are recycled to produce new
25 tires, or what happens?

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2 MR. ESPOSITO: No. Sometimes
3 they're turned -- they're shredded and
4 they're turned into what they would call
5 like aggregate, so they can use it for
6 like building projects. They've used it
7 in like roads. They've used it to make
8 playground equipment or like the surface,
9 playground surfaces. And then in some
10 instances, if the market is bad, they
11 don't have anything to do with them, they
12 can shred them and actually just send
13 them to like an incinerator.

14 COUNCILMAN DOMB: Some of the
15 tires we could probably put in some of
16 the potholes we have, they're so big.

17 MR. ESPOSITO: We can get very
18 creative, yeah, if we all have this
19 material.

20 COUNCILMAN DOMB: Well, thank
21 you. Thank you very much.

22 COUNCILWOMAN SANCHEZ: Thank
23 you, Councilman Domb.

24 Councilman Kenyatta Johnson.

25 COUNCILMAN JOHNSON: Yeah.

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2 Thank you, Nic, for your work on the Zero
3 Waste and Litter Campaign and being
4 supportive of our efforts to address this
5 specific issue in Southwest Philadelphia.

6 I have to get my good friend
7 Councilman Domb out to the Second
8 Councilmanic District, specifically
9 Southwest Philadelphia, where he'll ride
10 in the back of Island Avenue where the
11 trolley turns and he won't see ten tires,
12 he may see 50 tires. And so it's a
13 different experience, but it's been a
14 problem in that part of my district for a
15 significant period of time.

16 So I do thank you and I want to
17 thank Rebecca Swanson as well from
18 License and Inspections for supporting
19 this ordinance.

20 I want to know how are we going
21 to go about -- so when we catch the
22 person who has been doing this dumping,
23 after we do some good due diligence,
24 surveillance and investigative work, what
25 happens? Like what are the penalties?

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2 How can we -- we don't want people to go
3 out of business, but if you continue to
4 dump tires illegally in the City of
5 Philadelphia, you shouldn't be in
6 business, because it brings down the
7 quality of life in neighborhoods that
8 this illegal dumping is taking place.

9 And so we need to send a strong message
10 to those who don't want to take the time,
11 like in the construction industry, and
12 take the debris to a dumping site and let
13 them know that if you won't do business
14 the right way here in the City of
15 Philadelphia, we have zero tolerance for
16 illegal dumping. Like what's going to be
17 our new approach to make this effective?

18 MR. ESPOSITO: So I want to
19 thank you also for your leadership and
20 everything down in Southwest. The
21 neighborhood litter plan has been very
22 well received and we're working through
23 it. I couldn't agree with that point
24 more.

25 So with the establishment of

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2 the Environmental Crimes Unit back in the
3 Major Crimes with the Police Department
4 was a huge step forward. That was a
5 thing that the Cabinet lobbied for and
6 that we have successfully achieved. We
7 have enforcement meetings every month
8 through the Cabinet where that unit will
9 actually be in the room with the DA's
10 Office, sharing information, tracking
11 cases through. In 2017, I mean, we
12 almost were batting a thousand basically
13 on prosecutions.

14 COUNCILMAN JOHNSON: So I want
15 to back up, because my staff will be very
16 interested in learning that there's an
17 Environmental Enforcement Unit inside the
18 Philadelphia Police Department, as well
19 as the District Attorney is addressing
20 this issue from a law enforcement
21 standpoint, because when we invited the
22 District Attorney's Office out to our
23 meeting in Southwest, they weren't really
24 focused on enforcement and prosecuting.
25 They were more along the lines of -- I

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2 think the representative wanted to create
3 more green space in Southwest as a way to
4 address the issue, and the advocates in
5 Southwest said, no, we want these
6 individuals to be prosecuted and their
7 businesses shut down, because they're
8 bringing down the quality of life of our
9 neighborhoods.

10 And so this is very good
11 information that you're providing, and my
12 staff will follow up with you to make
13 sure that we have that representative
14 that's a part of the Philadelphia Police
15 Department Environmental Crimes Unit to
16 come out and talk to the neighbors, and
17 whatever unit that's a part of the
18 District Attorney's Office that builds on
19 prosecuting those individuals to also
20 come out to participate.

21 So I do want to just thank the
22 two of you, because I think the key
23 component also is just the enforcement.
24 And we know legally people have a right
25 to run their businesses, so I know from

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2 L&I's standpoint when we have like these
3 chop shops and auto shops in Southwest
4 Philadelphia, oftentimes we have to go
5 through a court process, and the
6 neighbors just want you to just go in and
7 just shut them down because how they're
8 operating, but I'm more on the
9 enforcement mode now, right, and trying
10 to figure out what are all the tools
11 available. But making this official
12 through this ordinance regarding those
13 who are licensed to sell tires I think is
14 a step in the right direction.

15 So I just wanted to, one, thank
16 you for your advocacy and then, Nic,
17 we'll also follow up on that other point
18 as well regarding enforcement.

19 Thank you.

20 MR. ESPOSITO: Sounds great.

21 Thank you.

22 COUNCILWOMAN SANCHEZ:

23 Councilman Taubenberger.

24 COUNCILMAN TAUBENBERGER: Thank
25 you, Madam Chair. I was just looking at

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2 the bill with you, and I thank you for
3 your leadership on this and your
4 steadfast testimony on trying to resolve
5 this. I think I may have told you this
6 before. I'm a former Grounds Supervisor
7 at Friends Hospital, and short dumping
8 gets under my skin real fast and I don't
9 have any tolerance. And I guess the
10 question is any fines attached to the
11 bill that you see or what are your
12 recommendations?

13 MR. ESPOSITO: So the fines
14 that we are pursuing, especially with
15 more investigative powers that we can go
16 through the criminal prosecution in the
17 DA's Office is -- the fines were
18 increased from last year through
19 Councilman Green's bill for \$1,000 for
20 the first offense, 1,500 for the second,
21 2,000 for the third. There is a statute
22 also in our books on 10-700 in our code
23 and under Penalties for when it's use of
24 a vehicle and we can prove that use of a
25 vehicle it happened, that is a \$5,000

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2 fine that we can pursue, and if there
3 are -- there's different levels of it.
4 There's M-3, M-2, M-1, so misdemeanor 3,
5 misdemeanor 2, misdemeanor 1. When it
6 gets to misdemeanor 1, that means there's
7 priors or the severity of the crime.
8 There can be the case made for vehicle
9 forfeiture.

10 So those are a couple of the
11 things that we are looking for for the
12 actual pursuit of the people that are
13 dumping the tires.

14 I can turn it over to Rebecca
15 for more of the fines on tire dealers
16 through this license that isn't --

17 MS. SWANSON: So in addition,
18 we believe that the criminal prosecution
19 is going to be the most effective,
20 because once you put one person in jail
21 for this or give them a large criminal
22 penalty, the word is going to get out.
23 But we do think that there is a piece of
24 civil enforcement. So if someone is --
25 if we have evidence, whether from the

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2 Police Department or from Nic's group,
3 that someone is dumping and we can trace
4 it back to either a waste hauler or a
5 business, we can revoke their tire dealer
6 license and we can also explore cease
7 operations of the business itself. We
8 would -- all of these are subject to a
9 safety inspection, a fire inspection
10 annually anyway as an auto-related use,
11 but if we believe that they are engaged
12 in illegal activity, that could be
13 grounds for a cease operations.

14 COUNCILMAN TAUBENBERGER: The
15 business stop order, that's in addition
16 to an actual fine or in lieu of?

17 MS. SWANSON: Well, we would
18 prosecute them. The Law Department would
19 take them to court, and something they
20 could ask the judge for is a cease
21 operations, you're no longer allowed to
22 operate. But we could also ask for
23 financial penalties as well that are laid
24 out in the Administrative Code.

25 COUNCILMAN TAUBENBERGER: Is

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2 there any wiggle room in the sense of
3 maybe the operator, even though he or she
4 is responsible for the total operation,
5 can say, hey, my employee was way out of
6 line, they're wrong, they should be fined
7 or something or I'll pay the fine, but I
8 don't want to lose my business? I mean,
9 is there like a little area in the
10 beginning of the bill?

11 MS. SWANSON: Oh, yeah.

12 There's always -- it's the facts of each
13 case would be -- if we are doing the
14 prosecution through the Law Department
15 for civil penalties, that would come out,
16 and there would always be that type of
17 discussion with the judge.

18 COUNCILMAN TAUBENBERGER: One
19 last question. Have these fines been
20 implemented now already or these will
21 come forward with this licensure?

22 MS. SWANSON: Well, the civil
23 fines that are set forth in the
24 Administrative Code for a Class 1, 2 or 3
25 offense, they're across the board.

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2 They're for any type of code violation
3 that is prosecuted through the Law
4 Department. The criminal penalties, have
5 they been against -- have you guys used
6 those yet?

7 MR. ESPOSITO: So we are in the
8 process right now, especially since the
9 unit and having better evidence that
10 we're doing of having some of our first
11 cases go forward. So in the new kind of
12 paradigm, I would say, working
13 Environmental Crimes, we haven't -- it
14 takes a little while for it to go through
15 the criminal justice system. In 2017, a
16 lot of the cases that we did, some ended
17 in fines. Some of the fines were before
18 the fines were increased. We also --
19 they utilize in the District Attorney's
20 Office diversions. So we've had people
21 go and put in 16 to 24 hours of community
22 service with the Community Life
23 Improvement Program, cleaning up a lot
24 and seeing how the other half live.

25 COUNCILMAN TAUBENBERGER: How

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2 long have these fines been in place?

3 MR. ESPOSITO: So the fines
4 were \$300 in 10-700 for, it would be
5 like, littering and dumping. Again, the
6 fines are different. There's a
7 state-level fine for if there's -- if
8 it's use of a vehicle. So that's kind of
9 a different class. A lot of these are
10 for if you couldn't prove that it was a
11 vehicle, but you knew that the person
12 dumped, now the fines are, as I said,
13 1,000 for the first offense, 1,500 for
14 the second, 2,000 for the third that were
15 increased.

16 COUNCILMAN TAUBENBERGER: And
17 they're relatively new, those fines?

18 MR. ESPOSITO: In 2017, I
19 believe.

20 COUNCILMAN TAUBENBERGER: 2017?

21 MR. ESPOSITO: Yes.

22 COUNCILMAN TAUBENBERGER: Do
23 you have any sense if they're working or
24 we don't know yet?

25 MR. ESPOSITO: So we have yet

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2 to have that full prosecution. And,
3 again, through the DA's Office, there are
4 different levels of how they prosecute.
5 The biggest thing is just making sure
6 that they get charged correctly and they
7 go through the process and the judges are
8 informed of what we're trying to do. So
9 we haven't had that big-ticket fine yet,
10 but we are hoping for it.

11 COUNCILMAN TAUBENBERGER: Thank
12 you very much.

13 Madam Chair, thank you.

14 COUNCILWOMAN SANCHEZ: Thank
15 you.

16 The Chair recognizes Councilman
17 Domb.

18 COUNCILMAN DOMB: Thank you,
19 Madam Chair.

20 I had a couple other quick
21 questions. Is there any value to these
22 tires? Like do people get paid for
23 bringing tires to a recycler or do you
24 have to actually pay for them to take
25 them?

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2 MR. ESPOSITO: So from my
3 understanding, there is disposal fees.
4 So you are usually paying for the
5 disposal to the company that's doing
6 their recycling and the disposal of it.
7 There isn't a company that's paying to
8 take in tires that then they're turning
9 into another profit.

10 COUNCILMAN DOMB: So has any
11 other city figured out a way to utilize
12 these tires in a productive way to create
13 a value?

14 MR. ESPOSITO: So coming from
15 the business sector, as you have, with
16 how markets kind of fluctuate when
17 there's demand for material. So if there
18 was a company that had a really good line
19 on creating surface playground material,
20 that would be a good business that they
21 can run and probably run -- I'm sure that
22 even if they were making money off of
23 that, they'd still want to charge for the
24 disposal fees just to cover those costs.

25 Other cities that we've seen

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2 have really -- again, we were influenced
3 by other cities that have done
4 enforcement similar to this through the
5 network of Keep Philadelphia Beautiful.
6 We were at a conference, and there's some
7 counties in Florida that have bad tire
8 dumping issues, and really what they
9 turned to was more of the enforcement.
10 They have their own version of an
11 Environmental Crimes Unit and are trying
12 to do a lot of the monitoring and the
13 dumping.

14 The creative reuse is always
15 something that we're looking at and
16 especially economic reuse, and
17 hopefully -- and this is what we do
18 believe on the Zero Waste and Litter
19 Cabinet -- is we can show there's this
20 many businesses with this quantity of
21 tires that could attract. There have
22 been a few business that have approached
23 that had ideas on how to process tires,
24 but they have not really come to fruition
25 in the area of any new capacity, but this

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2 could spur that.

3 COUNCILMAN DOMB: Okay. Thank
4 you. Thank you very much.

5 Thank you, Madam Chair.

6 COUNCILWOMAN SANCHEZ: Do you
7 know how much it costs us per tire when
8 we get rid of it?

9 MR. ESPOSITO: I believe -- I'd
10 have to check with Streets Department. I
11 believe it's somewhere in the ball park
12 of around \$5 a tire, I want to say,
13 somewhere in there.

14 COUNCILWOMAN SANCHEZ: I know
15 the Commissioner just came in.

16 Do you mind coming up for a
17 minute? I just want to get a sense of --
18 do you know how much it costs?

19 (Witness talking without
20 microphone.)

21 COUNCILWOMAN SANCHEZ: You mean
22 we're collecting tons? That's a lot of
23 zeroes.

24 (Witness approached witness
25 table.)

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2 DEPUTY COMMISSIONER WARREN:

3 Good afternoon. Keith Warren, Deputy
4 Streets Commissioner for Sanitation.

5 The per ton disposal rate I
6 believe is around \$103. That's off the
7 top of my head.

8 COUNCILWOMAN SANCHEZ: How many
9 do we collect when we do the tire
10 round-up?

11 DEPUTY COMMISSIONER WARREN: An
12 average of 70 tons.

13 COUNCILWOMAN SANCHEZ: 17 tons?

14 DEPUTY COMMISSIONER WARREN:
15 7-0.

16 COUNCILWOMAN SANCHEZ: 70. Do
17 we take them at our disposal places, our
18 drop-off centers?

19 DEPUTY COMMISSIONER WARREN: We
20 take them in individual use quantities.
21 So to say each resident can bring two
22 tires twice a week, four tires.

23 COUNCILWOMAN SANCHEZ: Okay.
24 So they are allowed in all our drop-on
25 centers?

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2 DEPUTY COMMISSIONER WARREN:

3 Yes.

4 COUNCILWOMAN SANCHEZ: For
5 personal use?

6 DEPUTY COMMISSIONER WARREN:
7 For personal use, yes.

8 COUNCILWOMAN SANCHEZ: Okay.
9 We're good. Thank you, Commissioner.
10 Sorry to put you on the spot there.

11 DEPUTY COMMISSIONER WARREN: No
12 problem. I'm sorry. I apologize for
13 arriving late.

14 COUNCILWOMAN SANCHEZ: If we
15 have any more questions for -- any other
16 questions?

17 (No response.)

18 COUNCILWOMAN SANCHEZ: Then I'm
19 going to call our witnesses. Ray Gant,
20 Ray of Hope, and Steve Horton, and then
21 Ms. Ruth Birchett.

22 Thank you. Thank you to the
23 panel. We'll be finishing up shortly.
24 As Ray comes to the podium, Ray has been
25 an incredible partner to us in the

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2 Seventh, although I know he does things
3 citywide with helping us with cleanups
4 and stuff, and one of our biggest
5 frustrations is dumping all over, but I
6 wanted to have him come in.

7 (Witnesses approached witness
8 table.)

9 COUNCILWOMAN SANCHEZ: You can
10 grab the mic, say your name for the
11 record, and then proceed.

12 MR. GANT: Yes. My name is
13 Ramond Gant. I'm Vice President and
14 Co-Founder of the Ray of Hope Project.

15 COUNCILWOMAN SANCHEZ: Go
16 ahead.

17 MR. GANT: I'm just here today
18 to address what it is that we do out on
19 the streets of Philadelphia every day,
20 and at some point I've reached out to
21 each and every one of you Councilpeople
22 that's sitting at this table of the work
23 that we've been doing throughout the City
24 of Philadelphia for almost 16 years. Ms.
25 Sanchez, Councilwoman Sanchez, is more

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2 aware of it because we're in her district
3 with a lot of what we do, but what we do,
4 we go all over the City to do. We see
5 the illegal tires, illegal dumped tires
6 that's throughout the City of
7 Philadelphia.

8 One of the issues that we've
9 been looking at with the illegal dumped
10 tires is that there needs to be more
11 surveillance in some of these hotspot
12 areas that's in the City where you know
13 that people are coming to, because just
14 like we sitting here having a
15 conversation today strategizing what
16 people are doing, other people are
17 sitting somewhere strategizing how they
18 can isolate a spot to go dump these
19 tires, and that's what they do.

20 And so we need to be able to
21 catch them when they out there, and you
22 got some real hotspots that's in the City
23 of Philadelphia that really need some
24 camera surveillance in those
25 neighborhoods and communities.

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2 I think one of the other things
3 that would make it more helpful to what
4 it is that we do, because our
5 organization be out boots on the ground
6 at some point to maybe three, four times
7 a week doing cleanups throughout the
8 community with volunteers, is that after
9 we do the cleanups and we call it in, the
10 trash is picked up, but the tires that we
11 done rounded up are still sitting there.
12 So what happens with that is here come
13 the illegal tire dumpers again. They
14 just compound more tires on top of the
15 tires that we done already gathered up.
16 Now, what happens in this situation, the
17 trash would be taken, but the tires would
18 remain, you know.

19 So in my organization, we feel
20 as though if there was more surveillance
21 in some of these here hotspots, that we
22 could apprehend some of these here
23 culprits. Not just with a fine, because
24 you see fines haven't even worked. They
25 see the fines, and when you go in the

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2 illegal dumping areas and they sit there
3 and they still dump and they laughing,
4 because there's no real repercussions
5 behind what it is that they doing.

6 I think people's license at
7 some point need to be revoked. I think
8 people need to have their business
9 licenses revoked for a certain amount of
10 time as well, and then that way, there
11 will be a strong message that will be
12 sent out to what's going on with the
13 illegal dumping issue, you know.

14 Another thing that we've seen
15 in areas that we've been working in that
16 where this here problem occurs, that at
17 some point the neighbors and people in
18 the community begin to embrace it after
19 they see that somebody is out there that
20 care about what's really going on with
21 the quality of life in their
22 neighborhoods.

23 Thank you.

24 COUNCILWOMAN SANCHEZ: Thank
25 you, Ray, for all you do.

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2 Steve. I think you can just
3 talk.

4 MR. HORTON: Yes. Good
5 afternoon, Councilwoman and members of
6 the Committee. My name is Steve Horton.
7 Thanks for bringing this issue to bear.
8 I'm with the Richmond Corridor
9 Association, but also work closely with
10 the Ray of Hope Project and I have
11 previous experience working with small
12 businesses.

13 This issue is very close to my
14 heart, because like many of you in this
15 group, we know those sites. If it's
16 South 25th Street, if it's 2nd Street, if
17 it's Richmond and Tioga, those locations
18 that are real continue to be a chronic
19 problem for all of us, and any way we can
20 address that through both regulatory
21 enforcement but also making sure that,
22 again, as others have said, that there is
23 essentially a penalty to pay if there is
24 not compliance.

25 People need to understand the

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2 responsibilities that go with that, and
3 each and every way that we can do that,
4 not only through this legislation but
5 really through the process of really
6 making sure that we're helping neighbors
7 and basically working with the quality of
8 life, it's up to us to do that.

9 I, like many of you on the
10 panel, have been there on the front line
11 from really the inception. The tire
12 round-up has been a citizen effort in
13 partnership with the City to deal with
14 some of that, but we really got to get to
15 the heart of the problem, which is the
16 people that are indeed out there,
17 unfortunately taking advantage of these
18 obscure sites.

19 There is a bigger market issue
20 that I think some of the previous
21 panelists talked about, like how can we
22 find other users of the materials, but
23 the most important thing is immediate, is
24 making sure that we deal with the
25 problems that we see out our front door

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2 every day. And each and every one of us
3 really in an ongoing basis, one of the
4 things I would hope that there could be
5 is kind of a citizen monitoring
6 initiative to keep an eye on tires and
7 other illegal dumps on a regular basis.
8 Surveillance is desperately needed in
9 many ways. There's been some talk about
10 that and there's technologies out there
11 that can be used, lighting, a lot of
12 other preventative measures, but also,
13 again, holding those responsible.
14 Because I've been on 25th Street, I've
15 been on 2nd Street, I've been at Richmond
16 and Tioga, and those spots are
17 chronically being hit. Great partners
18 with the City agencies that can work with
19 us on that, but we've got to get to those
20 ultimately responsible.

21 And I'll answer any other
22 questions you may have. Thank you for
23 your time.

24 COUNCILWOMAN SANCHEZ:

25 Councilman Taubenberger.

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2 COUNCILMAN TAUBENBERGER: Madam
3 Chair, thank you.

4 It's more of a statement than a
5 question, but there might be a question
6 involved. I may need you at the tail
7 end.

8 Not only are tires unsightly,
9 they take up a lot of space, but they're
10 also a health hazard, because they're
11 actually a giant breeding ground for
12 mosquitos. The water that accumulates
13 and particularly in a very wet summer
14 like this one, and I'd have to say most
15 summers have a fair amount of rain and
16 the water accumulates in there, it's just
17 a perfect place for mosquitoes to hatch.
18 And there's no more deadly insect in our
19 realm than a mosquito who can transmit a
20 lot of different diseases.

21 So I guess my question to you
22 is, the tires that you see, how long do
23 they generally stay in one place before
24 they're removed either by the City or how
25 long do they stay where they're at?

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2 MR. GANT: Well, being that I
3 am a frequent user of 311 and some of the
4 City agencies, you know, on the better
5 half of the tires, they get picked up as
6 quickly as possible -- it can be possibly
7 done through, you know, the time and the
8 efforts that the City agencies have. I
9 would say anywhere sometimes from a week
10 to two weeks or sometimes it would be a
11 day or a couple days. It varies. It
12 varies, you know.

13 But what happens is is that in
14 these areas, because every community
15 neighborhoods are suffering the most from
16 this here situation, so what happens is
17 is that in the isolated areas, they get
18 hit regular. So just recently we had
19 some tires cleaned up up in Frankford and
20 then, boom, a few days later, here it is
21 back again. You know what I mean? The
22 way the tires are back in there. So we
23 just got to stay on it as much as
24 possible and discourage the people that's
25 dumping the tires.

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2 MR. HORTON: Well, I think you
3 bring up a real good point about the
4 health issue, because with Zika and West
5 Nile and all the other stuff that's out
6 there, it's a real concern. Even the
7 volunteers, making sure they're properly
8 protected that are out there slinging the
9 tires in the back of a truck.

10 Last year we got the Health
11 Department involved in co-promoting the
12 Streets Department annual tire round-up,
13 because they understood this growing
14 crisis that's been happening out there.

15 There are chronic spots,
16 though, that are obscure that do last
17 quite a bit of time, because literally
18 they are camouflaged. So you'll come
19 across sites that you'll never believe.
20 I mean, the 25th Street or the 2nd
21 Streets are obvious ones or Tioga Street,
22 but the other spots -- and I've seen
23 them, and there's several that I'm aware
24 of right now that we're working with
25 various partners on to get removed --

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2 that, again, these folks get so savvy
3 they'll find obscure spots, and there
4 have been places where they had to be
5 almost excavated from piles of debris
6 that are left for countless months.

7 So the good news is, we're
8 getting the bulk of them off the street.
9 The bad news is, those spots that are
10 chronic are constantly a battle. It
11 literally is from day to day, week to
12 week.

13 COUNCILMAN TAUBENBERGER: One
14 disease you left out has always been
15 historically prevalent in Philadelphia is
16 malaria. Malaria has been here from the
17 beginning of time.

18 When the City receives them, to
19 the best of your knowledge, what do they
20 do with them, the tires?

21 MR. HORTON: Well, I know they
22 collect them and, again, the Streets
23 Department staff know better than I how
24 they dispose of them and Deputy
25 Commissioner was talking about that

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2 earlier, but for the citizens themselves
3 and annual tire round-up -- and, again,
4 if we can get our hands around the
5 regulatory side, the licensing side, and
6 really holding those accountable, then
7 they're going to be -- always going to be
8 some cracks in the system, but you can
9 increase the incentivization of the
10 citizens as well so that they can pick up
11 hopefully just crumbs after we really
12 dealt with the bigger problem like that
13 too.

14 COUNCILMAN TAUBENBERGER: Very
15 good. Thank you very much.

16 Madam Chair, thank you.

17 COUNCILWOMAN SANCHEZ: Thank
18 you.

19 Councilman Johnson.

20 COUNCILMAN JOHNSON: Yeah.

21 Before we wrap up, I just wanted to echo
22 the testimony that if we don't take such
23 an aggressive approach as totally
24 revoking a business's license, then I
25 believe the work that we're doing is for

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2 naught, and that's simply from the fact
3 that they know we're going to call and
4 get these sites cleaned up, Keith. It's
5 like it's very frustrating.

6 I know we had a spot in Cobbs
7 Creek right off of 70th Street, 70th and
8 Cobbs Creek Parkway, where, Councilman
9 Domb, again we're talking about 150, 200
10 tires easy, right, dumped in the lot.
11 We're organizing out there with the
12 community advocates. The City comes. We
13 do a massive effort, get rid of the
14 tires, and then a month or two later,
15 they're right back, and I'm sure --
16 because a lot of times Streets
17 Department, they may get a bad rap when
18 we're out in the community saying we
19 could be doing more, but I know, because
20 we do so much cleaning in certain areas,
21 they know where all the hotspots are.

22 And so I think at some point in
23 time, we may have to have a massive
24 effort, right, to specifically -- and
25 this ordinance will help it -- go after

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those, like a stealth movement and like really all-hands-on-deck investigative approach and really catch four, five, six folks and make a real example out of them where you can never do business. And I'm not trying to hear that your employee did it or you didn't know about it. Well, you should have thought about that when you hired that employee. You should have made it part of policy. If you get caught illegal dumping and you work for my company, like you have to be a part of that accountability process. I think that's the only way we're going to get change at the end of the day, because you have to feel it in your pocket, dollars and cents, or the prosecution standpoint in terms of like maybe the person has to spend a few days away, because they're bringing down the quality of life of neighborhoods, primarily in poor neighborhoods, and its environmental component. Because our dumping primarily again, Cobbs Creek, go in the back of

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2 Eastwick where Korman used to own land
3 at, right, where there's no lights and
4 it's just totally dark. And I went on a
5 tour and the neighbors just pointed out,
6 here go all the dump spots. And I know
7 we talk about civilians monitoring
8 dumping, but a lot of the dumping happens
9 at 1:00 in the morning, 2:00 in the
10 morning, 3:00 in the morning where the
11 cops aren't out and about and there's
12 nobody watching and you just find those
13 secluded areas to dump.

14 So thank you for stepping up to
15 the plate, but this is more so for my
16 Streets Department, L&I, the Litter
17 Cabinet, all of us working together as a
18 unit, and thank Maria as well for
19 stepping up on this issue, because we
20 can't be under siege in our own
21 neighborhoods where people are just
22 bringing down the quality of our lives
23 through illegal dumping of tires.

24 COUNCILWOMAN SANCHEZ: Thank
25 you, gentlemen. Thank you for coming.

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2 MR. HORTON: Thank you very
3 much for your time.

4 COUNCILWOMAN SANCHEZ: We have
5 Ruth Birchett, and Councilman Domb has
6 asked if Nic Esposito come back. He has
7 a question for him.

8 (Witnesses approached witness
9 table.)

10 COUNCILWOMAN SANCHEZ:
11 Councilman Domb, you want to ask your
12 question before I let Ms. Birchett.
13 Thank you.

14 COUNCILMAN DOMB: Thank you,
15 Madam Chairwoman.

16 I have a challenge for you. I
17 just went on the Internet under Google
18 and I said, what do you do with old tires
19 and what is the value, and they tell me
20 that other areas are paying \$1 to \$5 per
21 tire, paying for it. So we need to find
22 the company that will be willing to pay
23 for it and get them somewhere in the
24 Philadelphia area, because that will be
25 an incentive for people to actually pick

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2 up the tires and bring them to that
3 center and get the money for them where
4 that company will go bring them. So
5 there are other areas in the country that
6 people are getting money for these used
7 tires.

8 MR. ESPOSITO: I would love to
9 have those further conversations and any
10 business attraction -- we've already
11 seen, the Zero Waste and Litter Cabinet
12 have -- they see the signs on the City
13 that we want to do better stuff with our
14 waste, so if those companies want to get
15 attracted here, I'd love to bring them.

16 COUNCILMAN DOMB: I'm going to
17 give you the challenge. I'm happy to
18 work with you to try to figure that out.

19 MR. ESPOSITO: Okay.

20 COUNCILMAN DOMB: Thank you.

21 MR. ESPOSITO: Thank you.

22 COUNCILMAN DOMB: Thank you,
23 Madam Chairwoman.

24 COUNCILWOMAN SANCHEZ: Thank
25 you.

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2 Thank you, Ms. Ruth. You're
3 our final testifier.

4 MS. BIRCHETT: Thank you. Hi.
5 My name is Ruth Birchett. I'm founder of
6 Heritage Community Development
7 Corporation in North Philadelphia and
8 also President of Heritage Homeowners
9 Association.

10 I am very happy to see this
11 effort, and I really want to see more
12 teeth in it, quite frankly, because over
13 our 30-year history, we have cleaned many
14 vacant lots using summer youth employment
15 workers and have cleared tires as well.
16 We have participated with the tire
17 round-up program, and in fact, the \$500
18 doesn't seem like much money, but it is
19 and has been very helpful to our elder
20 food cupboard and that we were able to
21 use the dollars for transportation and
22 paying gas for the trucks and all.

23 But I will tell you that the
24 tire round-up program is very strenuous.
25 It's very hard. You have to have

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2 protective gear. We have encountered
3 tires with maggots and just all kinds of
4 things in them. And also I think the
5 most egregious thing that I've
6 encountered is a proprietor of Jones Auto
7 Repair whatever in the 2600 block of West
8 Huntingdon Street who, as we were
9 clearing the huge vacant lot across the
10 street from his business, he thanked us
11 and said, thank you for clearing the
12 tires away. Now we have room to put more
13 there.

14 And so we reported him, but
15 there are people that have that attitude
16 in Philadelphia about zoning, and I agree
17 with Councilman Kenyatta Johnson about
18 having a zero tolerance.

19 In the third section on Page 4
20 under License and Inspection, the area
21 No. 5 where it talks about willful
22 violations, I would like to see the word
23 "suspension" deleted from this bill and
24 leave "revoke" in there. I also would
25 like to see the inclusion of a per-tire

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2 fine for violators in this.

3 And then when you look in
4 Section 3, under License Requirements
5 also, (d) at the top of Page 4 says that
6 they'll provide supporting documentation
7 available to the Department upon request.
8 I would like to see an automated system
9 that their recordkeeping has to be
10 uploaded into on a monthly basis or even
11 perhaps even more frequently. I believe
12 that Philadelphia Office of Technology
13 should be consulted to consider that.
14 And so it's not a passive you can keep
15 the records and then we'll come and look
16 at the records when we want, but it's an
17 actual realtime accounting of the
18 location of these tires.

19 I think also -- I can attest to
20 the fact that the efforts of the Streets
21 Department, particularly the Sanitation
22 Unit, Commissioner Williams and also
23 Deputy Commissioner Warren have been
24 instrumental in helping us deal with this
25 issue in the 1900 block of North

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2 Hemberger Street, which is a back street
3 between 23rd and Croskey. And for
4 decades, I mean decades, it's to the
5 point where people who have lived in the
6 neighborhood over 50 years will say,
7 we'll never be able to end this, who have
8 me now doing research to try and
9 privatize the street, a two-way street
10 literally, to avoid people coming in and
11 doing the short dumping.

12 Also, the Health Department,
13 I've called upon them to come and deal
14 with the fact that we don't just have
15 mosquitos that come out around after it
16 begins to get dark or after 8 o'clock,
17 but also all throughout the day, the
18 mosquitos with the black and white legs.
19 And so they came out and put the mosquito
20 trap there. They left it for days, and
21 they came back and determined that it was
22 not the West Nile problem.

23 But citizens, everyday
24 citizens, are making efforts to try and
25 maintain a particular quality of life,

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2 and even myself, I purchased a machine
3 that's supposed to kill mosquitos within
4 an acre area, but it wasn't working, and
5 I discovered this because there are tires
6 that are dumped on Hemberger Street.

7 And so I ask you, if you would,
8 to do everything you can to put teeth
9 into this and go after the bad guys.

10 There are people who repeatedly short
11 dump in our community, and the fines and
12 the penalties, they dwarf in comparison
13 to them dumping things or taking care of
14 this in a legal manner, and I think it's
15 problematic.

16 I would say that this big
17 problem is also an opportunity for
18 enterprise. I am very committed to youth
19 employment, and I believe that we can do
20 that on a year-round basis if we take a
21 problem like this, as Councilman Domb
22 alluded to, and view it as an opportunity
23 for our young people to gather the tires
24 and also create a mechanism for them to
25 even monitor as well, and I think that

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2 can be benefit all over the City.

3 But thank you for this, and I
4 hope that -- if this isn't strong, if
5 this isn't strengthened, it's not going
6 to solve the problem at all with short
7 dumping.

8 COUNCILWOMAN SANCHEZ: Thank
9 you, Ms. Birchett.

10 I just want for the record, all
11 the fines are in another section of the
12 code. So there are pretty hefty fines
13 that were updated in 2017, which is why
14 they don't need to be in this bill. And
15 definitely we'll take your feedback as we
16 create a list. We've never had a tire
17 license, so we don't even have a list
18 yet. When we get that list, that we have
19 more public discussions as the program
20 gets initiated in 2019. But thank you so
21 much for all your work in the community.
22 Thank you for coming here today.

23 MS. BIRCHETT: Thank you.

24 COUNCILWOMAN SANCHEZ: Thank
25 you.

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2 This concludes the public
3 hearing of the Committee on License and
4 Inspections. We will now go into our
5 public meeting.

6 The Chair recognizes the Vice
7 Chair, Councilman Domb, for a motion on
8 Bill 180648.

9 COUNCILMAN DOMB: Thank you,
10 Madam Chairwoman. I move that Bill No.
11 180648 be reported from this Committee
12 with a favorable recommendation and
13 further move that the rules of Council be
14 suspended to permit first reading of this
15 bill at the next session of Council.

16 (Duly seconded.)

17 COUNCILWOMAN SANCHEZ: All
18 those in favor?

19 (Aye.)

20 COUNCILWOMAN SANCHEZ: Any
21 opposition?

22 (No response.)

23 COUNCILWOMAN SANCHEZ: Seeing
24 none, Bill 180648 will be moved out of
25 this Committee with a favorable

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2 recommendation and further moved that the
3 rules of Council be suspended to allow
4 first reading at our next session.

5 Thank you, everyone, for your
6 participation today. This concludes the
7 meeting of the Committee on License and
8 Inspection.

9 For the record, Councilman
10 Kenyatta Johnson was reported voting aye.

11 COUNCILMAN JOHNSON: Thank you.

12 (Committee on Licenses and
13 Inspections concluded at 2:10 p.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, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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