

1
2 COUNCIL OF THE CITY OF PHILADELPHIA
3 PUBLIC HEARING BEFORE THE COUNCIL COMMITTEE ON
4 LICENSES AND INSPECTIONS

5 - - -
6 Room 400, City Hall
7 Philadelphia, Pennsylvania
8 Thursday, May 11, 2000
9 2:30 p.m.
10 - - -

11 BILL 000217 - An ordinance amending Section 9-402
12 of the Philadelphia Code, entitled "Animal Drawn
13 Carriages," and Section 10-108, entitled "Rental
14 Carriage Horses," by making various changes to the
15 provisions governing the animal-drawn carriage
16 business and the use of horses in such business,
17 and amending the approved routes for animal-drawn
18 carriages, all under certain terms and conditions

19 PRESENT: COUNCILMAN RICHARD T. MARIANO, Chair
20 COUNCILMAN DARRELL CLARKE, Vice Chair
21 COUNCILMAN DAVID COHEN
22 COUNCILMAN FRANK DICICCO
23 COUNCILMAN MICHAEL A. NUTTER
24 COUNCILMAN ANGEL L. ORTIZ
25 COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN FRANK RIZZO

26 - - -

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21 - Charlie Pizzi, Chairman,
Philadelphia Chamber of Commerce

22 - Charlie Heinz, General Manager,
23 Marriott Hotel and Chair, Convention Visitors
Bureau's Government Affairs Committee

24 - Dr. Dale Schilling, Veterinarian

25

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2 P R O C E E D I N G S

3 COUNCILMAN MARIANO: The public hearing
4 for the Committee on Licenses and Inspections will
5 come to order. Councilman DiCicco, to my left,
6 would like to make a statement.

7 COUNCILMAN DICICCO: Thank you,
8 Councilman Mariano. And I thank everyone for
9 coming today and I apologize for my delay in
10 coming up here -- I was having a briefing with the
11 Mayor concerning some TIF legislation.

12 As you know, I drafted a bill, I guess
13 almost two years ago, to try to deal with the
14 issue of the horse carriage industry as it relates
15 to the City of Philadelphia. I have received an
16 enormous amount of correspondence from people on
17 both sides of the issue -- if I can refer to it as
18 "both sides of the issue." I've received a
19 number of correspondence from the hotel industry,
20 the tourism industry, letters from animal
21 activists, letters from residents in and around
22 the Society Hill community, all of which I thank
23 you for your participation and your input.

24 I will be making some recommendations
25 to this committee at the end of the testimony that

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2 will be coming forth from people in the chambers
3 today. I am certain at this point in the
4 proceedings that in the end, when I finally make
5 my recommendations, that no one in this room will
6 be happy, or at least entirely happy, but some
7 decisions have to be made, and I think that the
8 recommendations that I will be making are in the
9 best of interests of all parties. Again, I don't
10 expect everyone to agree with me on that, but I'm
11 going to attempt to do something with this
12 legislation that will make for better conditions
13 for everyone who has to live and work in the
14 carriage industry business.

15 The other thing I was going to let you
16 know is that I have not just paid attention to
17 correspondence or just meeting people on the
18 streets. As recently as this past week, I took a
19 ride out to Bucks County and went to Valerie
20 Phillips' place to see her beautiful farm and bed
21 and breakfast. I didn't stay overnight but stayed
22 for the day. As many of you know in this
23 audience, Valerie was a part of original horse
24 legislation and was referred to me by then-Mayor
25 Rendell as someone who could enlighten me on the

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2 issue of the horse carriages in the City of
3 Philadelphia. By chance when I was there this
4 past Sunday, I met a neighbor of hers, a
5 veterinarian, and had about a half hour discussion
6 on this very issue, and that veterinarian gave me
7 some insight, which I believe has made me make my
8 final decisions as to amendments or
9 recommendations that I will make to the bill
10 today.

11 Valerie, I want to thank you, and I
12 thank the Chair for allowing me a few minutes just
13 to discuss my feelings with all of you.

14 COUNCILMAN MARIANO: Thank you,
15 Councilman.

16 I would like to introduce the rest of
17 the committee now. There's Councilman Rizzo to
18 the left and the lovely Councilwoman Blondell
19 Reynolds Brown -- we say that every time. Of
20 course, we know Councilman DiCicco's here, that's
21 the reason we're here today. And we have
22 Councilman Clarke and Michael Nutter, who's on the
23 phone, and Councilman Cohen just entered the
24 room. The rest of the people here are just aides
25 and lawyers and don't need to be introduced.

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2 Let's see, Barbara? Barbara Riebman
3 asked to go first.

4 (Witness comes forward.)

5 COUNCILMAN MARIANO: We'll start by
6 having the clerk read the bill.

7 THE CLERK: Bill No. 000217, an
8 ordinance amending Section 9-402 of the
9 Philadelphia Code, entitled "Animal Drawn
10 Carriages," and Section 10-108, entitled "Rental
11 Carriage Horses," by making various changes to the
12 provisions governing the animal-drawn carriage
13 business and the use of horses in such business,
14 and amending the approved routes for animal-drawn
15 carriages, all under certain terms and conditions.

16 COUNCILMAN MARIANO: And just one
17 statement before we start. This is a very
18 controversial issue. It's not the most
19 controversial one that we've had in the five years
20 I've been here and it probably won't be the most
21 controversial.

22 Without offending anyone, there's going
23 to be some strong opinions on both sides, so try
24 to keep it as short as you can. If there's
25 something that you feel you can't say because of

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2 the time limitations, stay around and come back.

3 I want to give everybody a chance -- or give it to
4 us in writing 'cause that gets in the record.

5 But I mean, people feel strongly on
6 both sides of this issue, and we're trying to give
7 a fair hearing, all right? Thank you.

8 MS. RIEBMAN: Thank you very much. My
9 name is Barbara Riebman, and I'm testifying as the
10 former director of the Morris Animal Refuge, which
11 is the only animal shelter in Center City
12 Philadelphia.

13 During my tenure as director during the
14 1980s, it was the shelter who received calls about
15 carriage horses who had collapsed due to heat
16 exhaustion and other health complications. This
17 would happen several times each and every summer.
18 We would rush to the scene and apply cool
19 compresses. The horses were extremely
20 debilitated, so it was very difficult to help them
21 significantly. The site of a downed horse on the
22 streets of the Center City was so horrifying, that
23 it would immediately cause a dangerous traffic and
24 pedestrian problem. The downed carriage horses
25 are a common problem across the United States.

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2 Heat exhaustion is one of the many,
3 many issues that need to be addressed to help the
4 carriage horses. While the temperatures for most
5 cities are taken many feet above the street, the
6 actually reflected pavement temperature can be 30
7 to 50 degrees higher. In fact, the New York City
8 Department of Transportation found that asphalt
9 surfaces on city streets can reach a temperature
10 of 200 degrees. Add in high humidity, then add in
11 again direct exposure to exhaust fumes from
12 vehicles, and you have a noxious, dangerous
13 environment for horses as well as their drivers
14 and patrons.

15 I urge you to adopt an 89-degree high
16 temperature threshold. While personally, I feel
17 that this is still too high a temperature, it's
18 certainly a step in the right direction.

19 Additionally, I urge to you adopt a
20 low-temperature threshold, and I'm going to amend
21 this to 32 degrees. The reason I've amended it
22 from my written commentary was that last night,
23 apparently, there was some question about the
24 validity of wind chill factors, and so perhaps a
25 wiser position would be to take a strict

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2 temperature of 32 degrees Fahrenheit irrespective
3 of wind chill.

4 I urge you to limit the number of hours
5 that horses can be in harness to a maximum of nine
6 hours. I don't understand why we are so much
7 higher, because most of the cities that I've
8 researched have a 5- to 8-hour maximum. Currently
9 our carriage horse have to work 10 hours, plus
10 travel to and from the stables, even with good
11 monitoring, which we know we do not have. This
12 can mean the horses are hooked up to carriages for
13 11 to 12 hours.

14 Finally, I urge you to adopt all the
15 humane recommendations in the ordinance. These
16 recommendations have the support of equine
17 veterinarians from the Humane Society of the
18 United States, and we have an HSUS person here
19 today, the ASPCA, the Pennsylvania ASPCA, the
20 Mayor's Animal Advisory Committee, and, of course,
21 on and on and on, and many local regional humane
22 organization as well.

23 Thank you very much.

24 COUNCILMAN DICICCO: Thank you. Miss
25 Riebman, could you just wait. Miss Riebman?

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2 MS. RIEBMAN: Yes?

3 COUNCILMAN DICICCO: I need to ask you
4 a question, if you don't mind. I know you're in a
5 hurry, but --

6 MS. RIEBMAN: That's okay.

7 COUNCILMAN DICICCO: Okay. You said in
8 the 1980s, you often had the problems with horses
9 that were downed or suffering from heat
10 exhaustion.

11 MS. RIEBMAN: Yes.

12 COUNCILMAN DICICCO: Was there a
13 temperature threshold back in the '80s; do you
14 remember?

15 MS. RIEBMAN: For part of that time,
16 there was not, and then we introduced an ordinance
17 approximately 15 years ago, which set a
18 temperature threshold, but it was way too high,
19 and I'm trying to remember what it was. In fact,
20 I just remarked to Erik Hendricks that we were
21 both here 15 years ago for the initial drafting of
22 carriage horse legislation.

23 COUNCILMAN DICICCO: Since that new
24 legislation, have you had any instances of downed
25 horses?

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2 MS. RIEBMAN: I can tell you that
3 during my tenure of Morris, after that legislation
4 was introduced, there was still a problem when I
5 was there. Now, I left there in the mid to late
6 '80s, so perhaps there was one summer overlap.
7 But every single summer that I was there, we had
8 problems, we had calls.

9 COUNCILMAN DICICCO: And you were there
10 through the '80s, you say?

11 MS. RIEBMAN: Yes, through the late --
12 through the -- '85-'86.

13 COUNCILMAN DICICCO: Do you ever recall
14 any incidences where horses died as a result of
15 heat exhaustion during your tenure there?

16 MS. RIEBMAN: I have to be honest you,
17 I did not follow up at that time because it was
18 not our jurisdiction.

19 COUNCILMAN DICICCO: Okay.

20 MS. RIEBMAN: But there were horses
21 there that we had tremendous difficulty -- we had
22 to leave before they could be revived.

23 COUNCILMAN DICICCO: Thank you.

24 MS. RIEBMAN: Sure.

25 COUNCILMAN DICICCO: Thank you for your

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2 testimony.

3 MS. RIEBMAN: Sure.

4 COUNCILMAN MARIANO: Bill Ferraro and
5 Randy Hirschhorn from the Health Department.

6 (Witnesses come forward.)

7 COUNCILMAN MARIANO: State your name
8 and occupation for the stenographer, please.

9 MR. FERRARO: William Ferraro,
10 F-E-R-R-A-R-O, Chief of Vector Control Services
11 for the Philadelphia Department of Public health.

12 MR. HIRSCHHORN: Randall Hirschhorn,
13 Director of Environmental Health Services,
14 Philadelphia Department of Public Health.

15 MR. FERRARO: Good afternoon, Mr.
16 Chairman and members of Council. My name is
17 William Ferraro, Chief of Vector Control Services
18 of the Department of Public Health. With me today
19 is Randall Hirschhorn, Director of Environmental
20 Health Services. I am here to testify on behalf
21 of Bill 217, which will amend portions of the
22 ordinance that regulates carriage and rental
23 horses.

24 There are four City departments that
25 share the responsibility for the regulation of the

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2 horse carriage industry. I will address those
3 portions of the bill for which the Health
4 Department has responsibility. These are: the
5 welfare of the horses, including the conditions
6 under which they work; and the removal of the
7 solid and liquid wastes deposited on the streets
8 of residential and commercial areas in and around
9 the Independence Hall and Society Hill sections of
10 Center City.

11 The first issue, temperature under
12 which the horses work, has been the subject of
13 much debate and discussion and Council during the
14 previous hearing on this matter, in meetings of a
15 working group composed of representatives of City
16 government, the Animal Advisory Committee, and the
17 horse carriage trade, and by the general public --
18 especially those who take a strong interest in
19 animal-related issues.

20 Bill 217 would lower the present hot
21 temperature working limit from 94 degrees
22 Fahrenheit to 90 degrees, and for the first time,
23 establish a cold-weather limit based on wind chill
24 factor, which is the combined effects of
25 temperature and relative humidity, of 26 degrees

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2 or less.

3 Research in veterinarian journals on
4 this subject is lacking. However, it must be
5 noted that at 95 degrees, just 1 degree higher
6 than the present limit, the City's Health
7 Commissioner would issue a human health advisory
8 urging precautions that people must take to avoid
9 heat stress and heat stroke. Horses, too, are
10 susceptible to heat-related illness. While there
11 has been considerable debate about whether 94
12 degrees is adequately protective of the health of
13 the horses, without doubt, 94 degrees is more
14 protective.

15 The second issue is the matter of the
16 removal of the urine and feces deposited by the
17 horses on the city streets. For many years, the
18 horses have left these deposits on the city
19 streets, causing considerable discomfort to
20 residents who live along the carriage routes and
21 pedestrians who walk these streets, and expense to
22 the City, which has had to divert its street-
23 cleaning resources to provide relief to residents.
24 No other industry that I'm aware of is allowed to
25 deposit the solid and liquid waste associated with

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2 their commercial operation into the streets and
3 then expect the City to clean that up waste at no
4 spends to them.

5 Bill 217 would enable the Health
6 Department and the Streets Department to develop
7 an animal waste management program that would meet
8 the standards of both the departments and would
9 shift the responsibility to keep horse carriages
10 routes clean and sanitary from the taxpayers to
11 the companies that profit from the use of these
12 routes.

13 I will now be happy to answer any
14 questions.

15 COUNCILMAN MARIANO: Anyone from the
16 committee have any questions?

17 Councilman Rizzo.

18 COUNCILMAN RIZZO: Who cleans up after
19 the police horses?

20 MR. FERRARO: The police horses? The
21 Streets Department.

22 COUNCILMAN RIZZO: And are they out
23 there? The police horses are out on patrol and is
24 there someone that's assigned from the Streets
25 Department to make sure that their urine and their

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2 feces is removed?

3 MR. HIRSCHHORN: Councilman, there is a
4 difference here in that the police horses are not
5 on an established route, so their waste don't
6 accumulate in a particular street or in a part of
7 the City hour after hour or day after day, 7 days
8 a week, 365 days a year.

9 They do have, as I understand, in
10 previous years, when I was in Bill Ferraro's job,
11 the police, when they had an off-load from a
12 horse, would radio in the location and someone
13 would be by to pick it up.

14 COUNCILMAN MARIANO: Councilman
15 DiCicco?

16 COUNCILMAN DICICCO: On that same note,
17 do the mounted police, do their horses go in after
18 a certain temperature; do you know?

19 MR. HIRSCHHORN: I'm not aware since
20 there in a different mission, which is
21 crime-fighting. I'm not aware of what their --

22 COUNCILMAN DICICCO: I understand
23 that. I just was curious if they're being asked
24 to live up to the same standards that we have
25 either on the books today or maybe going forward.

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2 Are there any recommendations? Have you ever been
3 in a position, either one of you, to recommend to
4 the Philadelphia mounted police that if the
5 temperature is X, then you should get the horses
6 off the street? I was just curious if we ever
7 participated in that.

8 MR. HIRSCHHORN: It hasn't had to come
9 up yet. The horses are not out there every day.
10 And also, that brings up a point that I had wanted
11 to make anyhow, which is, police horses are in the
12 best of shape. However, the carriage industry, as
13 I've had personal knowledge of in the past three
14 months by being out at every stable, many of the
15 horses out there are at the end of their life.

16 So you would not, for example, expect a
17 60-year-old person to walk up 4 flights of stairs
18 as they could when they were 20. And it's the
19 same with these horses. Not only are many of them
20 elderly, but they are kept in very poor
21 conditions.

22 So in the Health Department, when we're
23 establishing standards, we have to do it for those
24 who are the weakest and the least able to recover
25 from the stresses of their work. So when we're

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2 talking about heat stress, we have a general
3 advisory to the public, at 95 degrees, take the
4 following measures. But we also alert at a much
5 lower temperature facilities that care for the
6 elderly -- people who are immunocompromised, for
7 example -- that they have to take these
8 precautions at a lower temperature.

9 So when we're talking about setting
10 standards, one thing I would please like to
11 emphasize to Council is, don't base this on the
12 best of the horses that you've seen; we must base
13 this on those in the poorest shape.

14 Ninety-four degrees is too hot. Ninety
15 degrees, I believe, is not protective enough, but
16 it's a lot better than ninety-four degrees.

17 COUNCILMAN DICICCO: You mentioned,
18 Mr. Hirschhorn, when you do inspections of the
19 stables and the condition of the horses, could you
20 speak a little bit about the condition of the
21 stables in the broadest sense. And then we can
22 obviously narrow it down, and maybe without
23 identifying those stables that may be doing the
24 kind of care that we would all like to see the
25 industry at large do.

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2 Because, I mean, of all the letters
3 I've received from either the tourism council or
4 the hotel industry or people who are in support of
5 the carriages, they have all referenced one
6 carriage company in particular. In fact, I even
7 got a letter from the Northern Liberties Neighbors
8 Association in support of continuing to allow
9 carriages to operate in the City of Philadelphia,
10 but they all referenced one of the carriage
11 companies as being the ideal or the model
12 company.

13 And I think if it wasn't for the fact
14 that the majority of the companies who are
15 operating today, had they all been paying
16 attention and caring for the horses the way that
17 one company was, we probably wouldn't be here
18 today, for the most part.

19 So if I could just get a -- if you can,
20 just enlighten us a little bit on what you have
21 seen in your experience, and I'd appreciate that.
22 Thank you.

23 MR. HIRSCHHORN: I'd be glad to, and I
24 thank you for the opportunity to do that.

25 As I previously said, I have been to

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2 each of these stables not once but several times
3 in recent months. We have four that are operating
4 as carriage-horse stables in the City right now.
5 One has been evicted from his stable by the owner
6 of the property, so we're left with three.

7 There is one that is in Northern
8 Liberties that is in excellent shape and has been
9 for quite some time, and there's no doubt in my
10 mind that that stable's horses are rested from the
11 time they come in off the street at night until
12 they go out in the morning, so those horses are
13 fit and able for the street. There is adequate
14 ventilation to help them recover from the heat
15 stress of the day.

16 Now, the other stables, I cannot make
17 that comment for. I wish I could, but I can't.

18 There is a second stable that is much
19 better than it ever was. It's been put into much
20 better shape by its owner in recent months.

21 The third stable has been temporarily
22 closed because of the many hazards there -- fire
23 code, etc. They want to reopen, but it's not in
24 good shape. The horses are not getting rest at
25 night, there's no way they possibly can. There is

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2 no provision of ventilation.

3 And as for the fourth one, where the
4 eviction occurred, that was in the worst shape of
5 all.

6 COUNCILMAN MARIANO: Mr. Hirschhorn, if
7 I could interrupt you.

8 MR. HIRSCHHORN: Yes.

9 COUNCILMAN MARIANO: Like, we're all
10 adults here. Could you tell us the real names of
11 these stables. It's legal -- I just consulted
12 with my attorney.

13 COUNCILMAN DICICCO: Well, I --

14 COUNCILMAN MARIANO: Frank, I think we
15 should know. We got somebody here that's --

16 COUNCILMAN DICICCO: But one of them,
17 you know, there's litigation going on, and I don't
18 know if -- I'm not an attorney and I don't know if
19 that would have any influence on the --

20 COUNCILMAN MARIANO: This is a public
21 hearing.

22 COUNCILMAN DICICCO: Okay.

23 COUNCILMAN MARIANO: You know, I think
24 we need to know.

25 COUNCILMAN DICICCO: All right.

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2 COUNCILMAN MARIANO: If somebody's a
3 good guy, we should know.

4 COUNCILMAN DICICCO: I just want to
5 make sure that --

6 COUNCILMAN MARIANO: 'Cause we're
7 lumping everybody together. This isn't our field
8 of expertise.

9 Could you -- the good one would
10 be. . . ?

11 MR. HIRSCHHORN: The good one --

12 COUNCILMAN DICICCO: A good example is
13 --

14 COUNCILMAN MARIANO: The good one, the
15 one you said was in Northern Liberties would
16 be. . . ?

17 MR. HIRSCHHORN: Would be 76 Carriage
18 Company.

19 COUNCILMAN MARIANO: And the next one?

20 MR. HIRSCHHORN: The next one down
21 would be Philadelphia.

22 COUNCILMAN MARIANO: And they're okay?

23 MR. HIRSCHHORN: Those are the only two
24 that are acceptable.

25 COUNCILMAN MARIANO: Okay. And --

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2 MR. HIRSCHHORN: And the other two that
3 are not operating were trading as Society Hill
4 Outback and Old City.

5 COUNCILMAN MARIANO: So how many's in
6 business now, two?

7 MR. HIRSCHHORN: Two are currently in
8 business, but the owners of the other two stables
9 -- they have several trade names, which is why it
10 seems like there's more than four. They have
11 indicated that they want to come back into
12 business.

13 COUNCILMAN DICICCO: Of the five
14 companies that you identified, how many of them
15 are licensed both by the City of Philadelphia and
16 by the Interior Department Parks Service? 'Cause
17 there's two licenses required as far as -- is
18 there anyone from L&I who can answer that
19 question, if you can?

20 There's two licenses that are required,
21 it's my understanding, to operate carriages in the
22 City of Philadelphia. One is issued by the
23 Department of Licenses and Inspections, and the
24 other would be issued to anyone who wanted to
25 operate within the geographical area of the Park

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2 Service, Independence Mall and so forth.

3 (Witness comes forward.)

4 COUNCILMAN MARIANO: Sir, are you from
5 the Department of Licenses and Inspections?

6 MR. HAIGLER: Yes, yes.

7 COUNCILMAN MARIANO: Would you state
8 your name. I know you, but get on the record
9 here.

10 MR. HAIGLER: Yes. I'm Otis Haigler,
11 Jr., Legislative Regulatory Affairs Manager for
12 the Department of Licenses and Inspections.

13 To answer your question, the Department
14 of Licenses and Inspections currently does not
15 issue the licenses related to animals. Those
16 duties were transferred to the Health Department
17 by virtue of a memorandum of understanding between
18 the Department of Licenses and Inspections and the
19 Health Department. This memorandum was issued in
20 1997 at the direction of the Managing Director's
21 Office.

22 The Department of Health, they have
23 specialized services and units to monitor animals,
24 and that's why the licensing and enforcement
25 functions were transferred to the Department of

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2 Health.

3 COUNCILMAN DICICCO: I apologize, my
4 mistake, I meant the Health Department. So -- but
5 there's still two licenses that would be necessary
6 to operate within the area of Independence Hall
7 and the Park Service area.

8 MR. HIRSCHHORN: Well, I couldn't speak
9 for Independence Hall National Park Service staff
10 because I'm not aware of all their regulations.
11 But as far as the City licenses go, there are only
12 two companies that right now are licensed.

13 COUNCILMAN DICICCO: So it may be two
14 and at most three, although one company's out of
15 business temporarily.

16 And the reason I raise this question
17 is, I think back in September or October of 1998,
18 I had received a copy of a letter that had been
19 sent by the Interior Department to all -- to the
20 five companies that were doing business, advising
21 them that as of October 31, 1999, the license to
22 be able to operate within the Parks Service area
23 was -- would expire, and they needed to be
24 renewed. And to the best of your knowledge, maybe
25 one, if not two, of those companies opted to renew

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2 their licenses.

3 So in effect, there are companies out
4 there -- one, two or three, I'm not sure -- that
5 are actually operating without a license in the
6 Park Service area. And I guess my next question
7 is, what can we do about that? Can we do
8 anything, or is that solely the responsibility of
9 the Interior Department or the Park Service?

10 MR. HIRSCHHORN: Well, sir, I can
11 answer that for you partially. The Independence
12 Park enforcement rangers, which are different than
13 the guide rangers, have a jurisdictional boundary
14 that they can enforce up to but not over. And
15 part of my concern is that -- it's my belief that
16 to avoid paying the National Park Service, the
17 other carriage companies are parking nearby, in
18 illegal spaces, which is something that when we
19 set up -- if Bill 217 passes and we establish a
20 points system whereby carriage companies are held
21 responsible for their violations, that the police
22 will be able to cite them for moving across the
23 street, for example, to avoid having to pay that
24 fee.

25 COUNCILMAN DICICCO: Thank you. And

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2 the reason I'm asking you these questions is, I'm
3 much more familiar, obviously, with the issues
4 than my colleagues up here at the table are, and I
5 want to get it on the record. And we're trying
6 to, you know, create a foundation here so they get
7 a better understanding of what we're attempting to
8 do.

9 Because as a result of these companies
10 that are non-licensed in that Park Service area,
11 those are actually causing hardship for the two
12 companies that are acting responsible and are
13 properly licensed. Because when I go out to Fifth
14 Street and start complaining as to why they're
15 parking in bus zones, why they're parking along
16 Chestnut Street, which they're prohibited from
17 parking, even the good guys -- if I may reefer to
18 them as "the good guys" -- have no place to park
19 or stage along Fifth Street because the
20 non-licensed guys are either using up their spots
21 or some spots nearby.

22 So, again, I'm trying to get this out
23 'cause I know my colleagues, it's probably all
24 foreign to them what we're talking about, and I
25 appreciate you responding the way you are.

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2 MR. HIRSCHHORN: And, Councilman, if I
3 could just add one more problem related to what
4 you just mentioned. When the carriages are on the
5 Park property, the rangers make sure those streets
6 are kept clean. The other companies that have
7 moved off onto the city streets now, there's no
8 one there, except the limited City resources, to
9 make sure they keep the streets clean. So it's
10 not going to be very long before the complaints
11 start to mount, especially with the warmer
12 weather.

13 COUNCILMAN DICICCO: And also, when the
14 city created staging areas, it was done with a
15 couple of reasons in mind. One was, obviously, we
16 had to have a designated place for people to go if
17 they chose to get on a carriage; and the other one
18 was an issue of public safety. So that carriages
19 are just not stopping anywhere in the middle of a
20 block, close to an where it actually could put the
21 public and the horses in harm's way. So that's
22 the reason for staging areas and why we are
23 hopefully going to be able to enforce that much
24 better going forward.

25 And we created a point system so that

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2 when the operator of a carriage is cited, the
3 owner of the company will be assessed a certain
4 amount of points, similar to what we do to a
5 vehicle operator when he or she is cited for going
6 through a red light or a stop sign; and if in fact
7 they're found guilty, there's a certain number of
8 points that are assessed against your license.
9 Ultimately, it could lead to a suspension or a
10 revocation of your driving privileges.

11 So we're attempting here to have some
12 better regulations and to put some more teeth into
13 it so that the owners of the companies instruct
14 their operators to be more aware of what the
15 regulations are and have some, I guess, heavier
16 hand in enforcing it by the possibility that you
17 can actually be out of business if you don't
18 advise, instruct, and educate your drivers or
19 operators to be more in line with what the
20 regulations are or pay attention to the laws of
21 the road, basically.

22 COUNCILMAN MARIANO: Any other members
23 of the committee have questions for these
24 witnesses?

25 COUNCILMAN DICICCO: No, but I would

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2 appreciate it if you gentlemen can hang around a
3 little bit longer; I think there may be some more
4 questions for you.

5 Thank you.

6 MR. HIRSCHHORN: We will stay, sir.

7 COUNCILMAN DICICCO: Thank you.

8 COUNCILMAN MARIANO: Sergeant Ed
9 Margerum from the Center City District, and Mr.
10 Hendricks from the Pennsylvania SPCA.

11 (Witnesses come forward.)

12 COUNCILMAN MARIANO: State your name
13 for the record, Sergeant.

14 SGT. MARGERUM: Sergeant Ed Margerum,
15 from the Center City District.

16 MR. HENDRICKS: Erik Hendricks,
17 Director of the Pennsylvania SPCA.

18 COUNCILMAN MARIANO: We usually let
19 people with guns testify first. So, Sergeant, go
20 ahead.

21 (Laughter.)

22 SGT. MARGERUM: With my experience in
23 Center City, we've had a couple instances over the
24 last year mainly because of all the construction
25 downtown, especially down around Independence

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2 Mall. I believe it was early fall last year, when
3 they were digging up the street right around the
4 Hall, one of the carriages, when they let loose
5 with the jackhammers on the street, bolted,
6 flipped over the horse and the carriage, injuring
7 the carriage driver.

8 Now the only reason that pedestrians
9 weren't injured, number one, was because it was
10 early fall and there weren't as many visitors to
11 the Hall, but they have the wooden partitions, I
12 guess you call them, right at the curbline, which
13 kept the carriage from going into the sidewalk
14 area, which was very beneficial in that area.

15 At Christmas time, they seem to make up
16 their own rules and decide to go wherever they
17 want. They will go all the way up to the 1300
18 block of Market Street, which causes an extremely
19 hazardous condition because they refuse to go
20 around the Hall with the flow of traffic, and they
21 make a U-turn in the 1300 block of Market Street,
22 causing the traffic going westbound to go around
23 the Hall to stop and the traffic eastbound, while
24 they make their turn and negotiate their turn to
25 get into the cutout area off of the sidewalk.

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2 COUNCILMAN MARIANO: Can I ask you a
3 question real quick? As a law enforcement
4 official, do you have any authority over them to
5 give them a traffic ticket?

6 SGT. MARGERUM: Well, I'd like to know
7 that myself.

8 COUNCILMAN MARIANO: Could you just try
9 it and see if --

10 SGT. MARGERUM: Oh, yeah, we try.

11 COUNCILMAN MARIANO: And see if anybody
12 notices?

13 SGT. MARGERUM: Because I made a couple
14 phone calls and I found out that they weren't
15 permitted to go over there because all of these
16 carriage drivers said they had permits, but nobody
17 could produce anything for me.

18 COUNCILMAN MARIANO: And if they're
19 acting recklessly --

20 SGT. MARGERUM: Absolutely, absolutely.

21 COUNCILMAN MARIANO: As a law
22 enforcement official, you could --

23 SGT. MARGERUM: And they had one
24 carriage operator that, after he gave the officer
25 a hard time -- it wasn't myself, but another

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2 sergeant in the Center City District was called to
3 the scene, and we were going to lock him up for
4 disorderly conduct. That's how irate he became
5 and how abusive he became.

6 COUNCILMAN MARIANO: Well, you have our
7 permission to arrest any horse drivers that you
8 want.

9 SGT. MARGERUM: I agree.

10 COUNCILMAN MARIANO: You'll be famous.

11 SGT. MARGERUM: Also, on Walnut Street,
12 when you have -- most of the day, you have two
13 lanes of traffic. When you have one carriage in
14 one lane, it causes a rubber neck effect, with the
15 traffic behind that carriage trying to get out
16 over to the other lane and causing accidents while
17 trying to get by.

18 COUNCILMAN DICICCO: Thank you.

19 COUNCILMAN MARIANO: Thanks.

20 Any questions from the members for this
21 witness?

22 (No questions.)

23 COUNCILMAN MARIANO: Seeing none, Mr.
24 Hendricks, go ahead.

25 MR. HENDRICKS: Thank you for the

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2 opportunity to testify.

3 As you may recall, in the past, I've
4 testified that we would prefer that this
5 temperature maximum actually be a heat index,
6 which would include the humidity factor. However,
7 in this existing amendment, or the one that's
8 proposed, I will accede to the apparent desire of
9 City Council that we keep it simple and use a
10 straight temperature standard. I would rather see
11 it be 89, but under most conditions, I think that
12 90 is an acceptable humane standard as the maximum
13 working temperature for horses.

14 On the other hand, the simplicity
15 factor seems to have been forgotten when you
16 established a standard at the bottom end of the
17 scale, where you're using -- or at least proposing
18 to use -- a wind chill factor. Wind chill, as you
19 know, uses the actual wind at the moment to
20 register what the wind chill factor is, and that's
21 very capricious; that can change from second to
22 second. And it would be really impossible to ever
23 go to court with that kind of standard.

24 I propose that you maintain a straight
25 temperature standard, as you have at the upper end

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2 of the scale, and use 32 degrees, a straight
3 temperature of 32 degrees, as the bottom working
4 temperature. In other words, anything below 32,
5 then the horses would have to leave work and head
6 home.

7 One other thing that is not addressed
8 directly in the bill, but which I think should be
9 brought up, is that the temperature standard that
10 should be used, I believe, should be the official
11 U.S. Weather Service airport temperature, since
12 that is the one used by all radio and television
13 stations, and anyone who tunes in to any station
14 in Philadelphia will know what that temperature
15 reading is at the moment. It's also a recorded
16 temperature and it is legally unassailable. It
17 can't be attacked in court as an instrument that
18 might be held by a law enforcement officer could
19 be because of its calibration and other factors.

20 So while this isn't in the proposed
21 amendment, I would suggest that it might be
22 actually put in so that it could ensure that the
23 Health Department does use that standard and not
24 some local standard.

25 This is an ordinance that applies

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2 throughout the City of Philadelphia, and I suggest
3 that this standard be uniformly applied throughout
4 the City and not -- and we should not rely on a
5 clock, or I should say, a temperature reading off
6 the KYW building, as was once proposed. That has
7 too many variabilities. It even varies from the
8 temperature that they put out on the air. So it's
9 very confusing when the public calls up and says,
10 I heard it this hot, and we go down to the city --
11 to the carriage area, we find that the temperature
12 reading on the building is lower.

13 So if we use a uniform temperature at
14 the airport, it will solve all of those problems.
15 And that's basically the only aspect of the
16 amendments that I have any concerns with.

17 I think it is well past time that City
18 Council act on this. We've been here before and
19 it's been going on many years now that amendments
20 have been put up and they die in committee. And
21 I'm hoping that this will finally be the year that
22 something is really done to help these working
23 horses throughout Philadelphia.

24 Thank you very much.

25 COUNCILMAN MARIANO: Thank you.

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2 Any questions for this witness?

3 Councilman DiCicco?

4 COUNCILMAN DICICCO: Thank you,
5 Mr. Chairman.

6 Thank you, Mr. Hendricks, for your
7 testimony. We had discussed the very issue about
8 where do we get temperature from because we
9 understand there are different sections of the
10 City, and we will have that in there, that it
11 should come from the National Weather Service.

12 MR. HENDRICKS: Yeah, at the airport.

13 COUNCILMAN DICICCO: At the airport.
14 And I will offer that as an amendment to the bill.

15 MR. HENDRICKS: Thank you.

16 COUNCILMAN DICICCO: Temperature, high
17 end. I get all kinds of different
18 recommendations, suggestions, opinions -- even
19 when speaking to veterinarians. One veterinarian,
20 as recently as Sunday, said, Well, you know, 94
21 degrees isn't really all that bad. Horses are
22 used to working, they've been doing things for
23 mankind since the beginning of mankind. And in
24 his opinion, if the horses are given adequate
25 fresh water and I believe shodding -- is that the

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2 correct word?

3 MR. HENDRICKS: Well --

4 COUNCILMAN DICICCO: If the shodding is
5 done --

6 MR. HENDRICKS: If they're shoed
7 properly --

8 COUNCILMAN DICICCO: Shoeing or
9 shodding, whatever the term is, if that is done
10 and they're cared for properly, in his opinion, 94
11 degrees is -- you know, it's not the best but it's
12 not all that bad. And in fact, when I met him on
13 Sunday, he and two of his friends were out
14 horseback riding, and as we all know, Sunday was a
15 very hot and humid day. And on my return from
16 Bucks County, I took one of the back ways home,
17 and lots of people were out riding horses in
18 Fairmount Park, coming through East River Drive.
19 There were a number of people who were out and the
20 temperature, I think, was probably in the 94-95
21 degree range, and it was a very humid day.

22 And these are people who I have a lot
23 of respect for, these are people who obviously
24 enjoy horseback riding and are horse enthusiasts,
25 if I can use that term.

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2 In recent years, have you had -- has
3 the SPCA had any incidences of horses dying from
4 heat exhaustion or anything like that? And what
5 are --

6 MR. HENDRICKS: No, but I hope you're
7 not going to wait till one dies before you do
8 something about it.

9 (Applause.)

10 COUNCILMAN DICICCO: No. And not to be
11 sarcastic, I think we are doing something about
12 it. And, again, as I said in my opening
13 statement, whatever I propose as an amendment --
14 and, obviously, it will be for this committee to
15 decide -- will probably not make everybody happy
16 because even those who think that it still should
17 be 89, and I proposed in one of my bills 92, and
18 then a subsequent bill at 90, and they're still
19 not very happy with that.

20 But that being said, there are some
21 things in here I think that we are going to act
22 responsible as a Council and do some things and
23 make some changes to the existing legislation and
24 regulations that will tighten up what goes on out
25 there.

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2 And, again, I think -- what I've gotten
3 from most people way back two years ago when we
4 had a public hearing on this very bill is that
5 care of the animal, the stable conditions, the
6 number of hours they're in harness, fresh water
7 supply, the maintenance of the horse, the shodding
8 or whatever, are paramount to mostly everything
9 else.

10 And if you've got a horse out in 94
11 degrees, naturally you're not going to run that
12 horse at a full pace, but if you're running it --
13 riding a horse and you're sitting on the horse's
14 back, which most people do when they ride a horse,
15 even at 94 degrees, it's not the best condition
16 but it is something that is not life-threatening.

17 Now, I'm sure that we can have people
18 who will disagree with that. I mean, that is
19 obvious. As we will have people who will disagree
20 that 90 is still too high. And I don't know what
21 that magic number is, and I respect your opinion,
22 as I do everyone else's.

23 I remember two years ago when we had a
24 hearing, I asked about the low temperature, and
25 there was a woman who was here -- I believe she

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2 was a veterinarian from somewhere up in Vermont or
3 somewhere, and I asked her a question. I said,
4 you know, when it's 60 degrees out there, Frank
5 DiCicco, I'm cold. I have friends of mine who
6 walk around with sleeveless T-shirts when it's 40
7 degrees. And horses have the same kind of
8 characteristics.

9 The veterinarian I spoke to on Sunday,
10 when I asked him about the cold temperature, he
11 said, Well, I don't know if I'd put a blanket on
12 most horses, he said, because, you know, in the
13 winter, when their fur gets to be kind of fluffy,
14 the fluffiness of the coat acts as an insulation.
15 Should you put a blanket on them and they begin to
16 sweat, the hair, the fur or the coat begins to
17 flatten out, and the horse loses its natural
18 insulation to cold.

19 So, you know, it's this constant back
20 and forth. One would think that when the
21 temperature reads 32 or below or what have you,
22 that putting a blanket on anybody or any animal
23 would be the more appropriate way, and he had
24 suggested that he wouldn't do that.

25 MR. HENDRICKS: I agree that the

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2 healthy horse is the ultimate. Unfortunately,
3 it's difficult when you look at a horse to know
4 what health it's in. So I think you have to have
5 some rules and regulations that apply generally.

6 And I think that you have to look at
7 this temperature that we're looking at as also a
8 gauge of the humaneness of Philadelphia, not just
9 what is the breaking point of the typical working
10 horse. And I think that's something you have to
11 keep in mind.

12 COUNCILMAN DICICCO: And I am keeping
13 that in mind. Just let me finish. And I agree, I
14 agree.

15 But I also look -- the other morning
16 coming in, Monday morning, coming to work, I saw a
17 guy out there with a jackhammer, 94 degrees. I
18 left my office, went to Walnut Street, I forget
19 what I went there for now, but he was still
20 jackhammering away at 2:30 in the afternoon. And
21 I'm sure he'd rather not be out there but, you
22 know, I don't know what the magic number is, I
23 just don't know, but I do appreciate and respect
24 your opinion.

25 MR. HENDRICKS: Well, it is an

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2 arbitrary number, but that's what City Council has
3 to do.

4 COUNCILMAN DICICCO: Yeah, I know, and
5 we're going to do something, but --

6 COUNCILMAN MARIANO: And we're up to
7 the task. Thank you.

8 COUNCILMAN DICICCO: Thank you.

9 COUNCILMAN MARIANO: Councilman Rizzo
10 has a question.

11 COUNCILMAN RIZZO: I just wanted to
12 follow up and I don't know if you're the right
13 guy. I wanted to ask this -- I just wanted to
14 just jump in there and ask a quick question.

15 Councilman DiCicco is making an analogy
16 between a horse that's ridden versus a driving
17 horse. Are you the right guy to ask if there's a
18 difference? Do we separate a horse that's being
19 ridden versus one that's being driven?

20 MR. HENDRICKS: In terms of hours?
21 Because there is a difference.

22 COUNCILMAN RIZZO: Well, no, just --
23 we're talking about horse -- the Councilman said
24 he saw a horse being ridden up in Bucks County, he
25 saw horses being ridden along the Kelly Drive.

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2 We're talking two different types of horses:
3 we're talking a horse that is a driving horse
4 versus a horse that's a horse for horseback
5 riding. Are they two different?

6 MR. HENDRICKS: In terms of calories
7 expended, I don't think that anybody's going to
8 say that a horse that is carrying a 150-pound
9 person, just, you know, doing normal walking, not
10 galloping -- he could be walking or cantering --
11 for maybe an hour at the most is not going to put
12 out a whole lot of calories relative to a horse,
13 even though it might even be a slightly bigger
14 horse, that's pulling a carriage that might itself
15 weigh a half a ton, then have six people in it
16 weighing another half a ton. So you've got at
17 least a ton that you're pulling. And if those
18 axles aren't greased properly, if there are
19 problems with any kind of mechanics of the
20 vehicle, it adds more work to it.

21 So I think you have to look at the load
22 that he's carrying, the wagon that's being used,
23 and then figure out which is the worst. But I
24 would say, in general, carrying one person on your
25 back is a lot easier than dragging a carriage load

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2 behind you, especially on pavement.

3 COUNCILMAN RIZZO: So we should
4 separate the two.

5 MR. HENDRICKS: I think they are
6 separate conditions.

7 COUNCILMAN MARIANO: Okay. Any other
8 questions for this witness?

9 (No further questions.)

10 COUNCILMAN MARIANO: Seeing none, I'll
11 call the next witnesses.

12 MR. HENDRICKS: Thank you.

13 COUNCILMAN MARIANO: Thank you.

14 Bill Hawkins and Valerie Phillips.

15 (witnesses come forward.)

16 COUNCILMAN MARIANO: State your name
17 for the record.

18 MS. PHILLIPS: I'm Valerie Phillips.
19 I'm Chairperson of the Mayor's Animal Advisory
20 Committee.

21 COUNCILMAN MARIANO: And you're the
22 lady with the place in Bucks County that DiCicco
23 went to and didn't bring us?

24 COUNCILMAN DICICCO: Would you pull
25 that microphone a little closer, Valerie, please.

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2 MS. PHILLIPS: Can you hear me now?

3 COUNCILMAN DICICCO: Honey Hollow
4 Farms.

5 COUNCILMAN MARIANO: The one DiCicco
6 went to and didn't take any of us?

7 MS. PHILLIPS: Yes.

8 COUNCILMAN MARIANO: Can Councilman
9 Clarke and I come up this weekend?

10 MS. PHILLIPS: We would be delighted.
11 Yes, you may. And I do -- I have a little
12 different spin. Mine is very short.

13 What I do want to say is, one, it was
14 delightful to have Councilman DiCicco up. The
15 veterinarian that he spoke to happens to raise
16 horses in the Olympics. So you're talk about a
17 totally different type of horse than what is in
18 the City of Philadelphia. And once I told him
19 what this was all about, the vet, when he, and it
20 was actually my husband who went riding with him.
21 He said, "I would shoot anyone that does not keep
22 horses in decent conditions." So I just wanted to
23 bring that up for the record. I think that if he
24 had seen some of the stables which Mr. Hawkins and
25 I have seen in this city, he would not have made

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2 that comment to you.

3 And so I just want to say, as
4 Chairperson of the Animal Advisory Committee,
5 speaking for the committee, we strongly urge
6 passing humane conditions for these horses. And I
7 want to take this from a humane perspective, and
8 let me just read my -- I was not prepared to
9 speak, so let me just tell you what we think.

10 It's the humane perception which must
11 be addressed here as well. Concerned citizens and
12 visitors do not like to witness working in
13 sweltering heat, as can be seen by the numerous
14 complaints that have been made to the Department
15 of Health Department, the Pennsylvania Society for
16 the Prevention of Cruelty to Animals, and our
17 committee.

18 And one of the goals of our committee
19 has been to make Philadelphia an example of a City
20 which attempts to address and improve the
21 conditions of its animals. I think that bodes
22 well, not only for the City, but also for its
23 citizens, and it might also set an example for
24 some of the citizens.

25 And so this type of legislation, which

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2 ultimately results from your hearing, will be a
3 major factor in whether we achieve that goal as a
4 city.

5 COUNCILMAN MARIANO: Thank you.

6 MS. PHILLIPS: Thank you.

7 COUNCILMAN MARIANO: Any questions?

8 (No questions.)

9 MS. PHILLIPS: You can find our -- I'm
10 not being facetious here. If any of you would
11 like to come up, you can find directions on our
12 Web site, which is Honey Hollow Farm dot.com.

13 COUNCILMAN MARIANO: Since you offered,
14 if Councilman Clarke and I come up and we drive
15 our motorcycles, will that scare the horses?

16 COUNCILMAN DICICCO: No, no.

17 MS. PHILLIPS: No.

18 COUNCILMAN MARIANO: No, okay.

19 MS. PHILLIPS: The pig maybe, but
20 that's fine.

21 COUNCILMAN MARIANO: The pig? I'm
22 always nervous when I pass the horses.

23 Mr. Hawkins?

24 MR. HAWKINS: My name is William
25 Hawkins. I'm a consultant to the Mayor's Animal

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2 Advisory Committee on Carriage Horses in this
3 particular instance.

4 And I'd like to echo the same sentiment
5 that Valerie Phillips mentioned, that a lot of the
6 issues that we're dealing with today are
7 particularly of the humane nature. And for years,
8 Philadelphia has had weak regulations and poor
9 enforcement when it comes to the horse carriage
10 trade.

11 We've already begun to improve
12 enforcement, but now City Council has an
13 opportunity to ensure that we have the right
14 regulations in place. Bill 217 will help do
15 that.

16 We owe it to the horses, we owe it to
17 the residents and the tourists, and we owe it to
18 the City of Philadelphia. If we compromise on
19 this legislation, we are sending a message to the
20 carriage industry that they are in the driver's
21 seat.

22 The ordinance, as written, is practical
23 legislation that deals with long overdue business
24 and humane standards for the horse carriage trade.
25 It includes much-needed decent, humane working

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2 conditions for Philadelphia's carriage horses.

3 The vast majority of cities in the
4 United States have already adopted similar
5 standards, or standards that are significantly
6 more restrictive. Even New York City -- not known
7 for its compassion for humans, let alone animals
8 -- has a shorter workday for their horses and a
9 much lower temperature, at 90 degrees. And
10 currently, they are considering lowering it to 89.

11 I'm here today not only as a
12 representative of the Mayor's Animal Advisory
13 Committee, but also the Society Hill Civic
14 Association and as a resident of that community
15 and also as someone who has lived in Philadelphia
16 for 28 years and loves this city. What I do not
17 like is the way the City treats our carriage
18 horses, and it's time we did what is right.

19 I and others advocating these changes
20 are not here to do away with the horse carriages,
21 as the carriage companies would have you believe.
22 We do not want to put them out of business, we do
23 not want to restrict entrepreneurship. As a
24 small-business owner myself, I am very sensitive
25 to that concern.

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2 We are here to ask for your support for
3 of meaningful changes to the rules, such as you
4 see in the ordinance. If the carriage companies
5 within Philadelphia were to move to another city,
6 they would have to contend immediately with
7 shorter business hours, dramatically reduced work
8 hours for the horses and an even lower temperature
9 than 90 degrees. In fact, many U.S. cities have
10 banned the carriage trade altogether rather than
11 contend with the problems that far outweigh the
12 benefits.

13 These changes are the absolute minimum
14 we should be implementing. In meetings just over
15 a year ago with the 76 Carriage Company, the
16 Mayor's Animal Advisory Committee and the Health
17 Department, even the veterinarian for the 76
18 Carriage Company, Dr. Schilling, agreed with
19 another equine expert who was on a conference call
20 with us and supported an 89-degree temperature
21 threshold, as well as the 9 hours in harness
22 rule.

23 I know that Councilman DiCicco has
24 received many calls, letters, and faxes over the
25 past few years from City residents who have

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2 requested major improvements to the horses'
3 working conditions, as well as changes that truly
4 affect waste management, carriage routes, and
5 tourist safety issues.

6 As vice president of the Society Hill
7 Civil Association, I frequently receive calls from
8 residents that I passed along to the various City
9 departments, including the Philadelphia Police
10 Department. There are numerous accounts of
11 accidents and horses getting spooked by loud
12 noises. And as you heard earlier, there was an
13 accident last year which resulted in three
14 tourists being treated at Jefferson Hospital. I
15 and others have witnessed many near-misses of
16 slow-moving carriages turning into lanes of
17 fast-moving traffic. The list goes on and on.

18 If Philadelphia is serious about
19 tourism -- and we've heard today that the tourist
20 industry is probably in support of the carriage
21 companies, and that's fine, we're not here to do
22 away with the carriage industry, we've said that.
23 But it's time that we become a lot more
24 responsible with how we're treating the industry.
25 And as vehicular transportation in our community

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2 becomes more difficult each year, the likelihood
3 of a very serious accident involving tourists as
4 well as residents increases. There has been a
5 slight increase in accidents each year.

6 While some people enjoy carriage rides,
7 the vast majority of tourists quite frankly do
8 not, you'd be surprised. Two weeks ago, I spoke
9 with a school group visiting the City, and except
10 for 3 in the group, which was about 20, 25, their
11 unanimous comment was, "Too slow, too smelly."

12 Although some City tourism brochures
13 show the good side of the carriage trade, a darker
14 side has been exposed. Two stables were shut down
15 due to deplorable conditions, as you heard,
16 recently. And, yesterday, criminal charges were
17 filed against two people associated with one of
18 the carriage companies. That's a first; it
19 probably won't be the last.

20 If we don't clean up our own act in
21 Philadelphia, then we will get a reputation for
22 being a less-than-humane city, and we don't want
23 that. And this is the city, which, by the way,
24 established one of the first humane societies in
25 the entire country.

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2 The carriage companies have long
3 ignored the approved carriage routes, blocking
4 traffic on Market Street -- we've heard that --
5 and others, especially in the holiday season. And
6 they continually go down off-limit side streets,
7 and this is every carriage company -- no carriage
8 company is exempt.

9 Approved carriage routes must also
10 apply to the weekends. If not, then we have no
11 real controls. The apparent ability for the
12 carriages to go anywhere on the weekend is among
13 the most ridiculous of the current regulations.
14 Now they're picking up residents at their homes on
15 the weekend and taking them to restaurants, a taxi
16 service, which is not their intention.

17 Philadelphia has among the most -- the
18 worst working conditions in the country for
19 carriage horses, one of the highest temperature
20 thresholds at 94, no low temperature, and the
21 longest number of hours worked -- 10 hours. That
22 is why we very much support 89-degree high
23 temperature threshold, because, as you've heard,
24 when it's combined with the street level, that's
25 120 to 150, which is very, very different. Add to

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2 that the SEPTA buses and car fumes belching out in
3 front of the horses, in the face of the horses,
4 and you have very bad working conditions.

5 And I must disagree with the
6 recommendation that the airport temperature be
7 used; or if it is considered, that we give
8 additional consideration to it. The reason being,
9 if you've listened to the airport temperature and
10 you've checked against the temperature in Center
11 City, there's often a 3- to 5-degree difference.
12 It's cooler in the airport, at the airport.

13 (Applause.)

14 MR. HAWKINS: For about an hour or so.
15 So what you would be doing is exposing the horses
16 to a higher temperature than they should be. The
17 way to measure temperature, especially for horses
18 who are operating on their hooves on the street,
19 is to take it at the street temperature where
20 they're doing their business.

21 COUNCILMAN MARIANO: Mr. Hawkins, let
22 me ask you -- let me stop you there. Did you just
23 say that the temperature at the airport is
24 cooler? I know you said that, but did you say
25 it's cooler for an hour or so?

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2 MR. HAWKINS: There's a difference of
3 about an hour. It seems that -- if it's, for
4 instance, 90 at the airport, it's probably going
5 to be 92, 93, 94 in Center City for some time.

6 COUNCILMAN MARIANO: What do you base
7 that theory on?

8 MR. HAWKINS: It's not a theory. It's
9 having heard the weather reports for a number of
10 years. In fact, that's why I've always been
11 concerned about the airport being used as the
12 measurement. I know it's easy, I know it's
13 simple, but that is not where the horses conduct
14 their business.

15 COUNCILMAN MARIANO: And would you
16 happen to know where they get the temperature for
17 the Center City reading?

18 MR. HAWKINS: The Center City reading
19 -- KYW Radio has a temperature gauge in their
20 building. It's not the one that you see on the
21 front of the building; it's somewhere else on the
22 building.

23 COUNCILMAN MARIANO: It's different at
24 times.

25 MR. HAWKINS: Yeah.

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2 COUNCILMAN CLARKE: It's probably on
3 the low side. Isn't that difference also on the
4 low side?

5 MR. HAWKINS: I'm sorry?

6 COUNCILMAN CLARKE: On the bottom of
7 the temperature scales, isn't there also a
8 difference from the airport?

9 MR. HAWKINS: It's interesting,
10 Councilman Clarke. I haven't noticed that as much
11 as I have the high temperature.

12 COUNCILMAN MARIANO: Let me just cut
13 you short just a more minute. While we're getting
14 into it, I'm just amazed at all these advisory
15 councils that we have. Explain to me this Mayor's
16 Advisory Council and how one gets on that and what
17 expertise.

18 And I don't know you, I met you when
19 you came to my office and it was a very nice
20 discussion, but you're testifying like an expert
21 on temperatures and you're testifying to know a
22 lot about horses and the carriage industry. What
23 do you got to do to be on that; do you have to be
24 an expert on temperatures, on horses, or just know
25 the Mayor? Which one is it?

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2 MR. HAWKINS: I'll ask the president of
3 the committee to answer that question.

4 COUNCILMAN MARIANO: Well, we know why
5 you're there. You let DiCicco come to your farm.
6 That's --

7 MS. PHILLIPS: I think what our
8 capacity is --

9 COUNCILMAN MARIANO: Explain the board.

10 MS. PHILLIPS: -- to advise the
11 Department of Health.

12 COUNCILMAN MARIANO: Okay.

13 MS. PHILLIPS: And that is our main
14 function. I think most people there -- it was at
15 a certain time a criterion who was on this
16 committee.

17 COUNCILMAN MARIANO: How many are
18 people on it?

19 MS. PHILLIPS: At this point, there are
20 10.

21 COUNCILMAN MARIANO: Is there any -- do
22 you just have to be an animal-lover to be on it?

23 MS. PHILLIPS: No. Most --

24 COUNCILMAN MARIANO: Do you have to be
25 -- is there any veterinarians on it?

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2 MS. PHILLIPS: Yes, there is a
3 veterinarian. Everybody on the committee, except
4 for me, actually has a particular, you know, bent
5 with animals.

6 COUNCILMAN MARIANO: See, I'm from
7 Juniata Park so this is all new to me.

8 MS. PHILLIPS: And the SPCA is
9 represented, the --

10 COUNCILMAN MARIANO: Was the fellow,
11 Mr. Hendricks, was he on the board?

12 MS. PHILLIPS: He is not on the board,
13 but there was someone from the SPCA, and I am a
14 board member of the Pennsylvania SPCA.

15 COUNCILMAN MARIANO: Oh, okay. The one
16 up in my district on Erie Avenue that doesn't
17 return my calls, that one?

18 MS. PHILLIPS: That's the one.

19 COUNCILMAN MARIANO: About dogs barking
20 all night, that same one? Now I know. Matter of
21 fact, when they bark and the people call my house,
22 I could have 'em call your farm in Bucks County?

23 MS. PHILLIPS: And bring them up there?

24 I'm --

25 COUNCILMAN MARIANO: Well, other than

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2 that, we want 'em, but --

3 MS. PHILLIPS: So --

4 COUNCILMAN MARIANO: And how many
5 people are on the board again?

6 MS. PHILLIPS: There are 10 at this
7 point, and each one has some kind of expertise.

8 COUNCILMAN MARIANO: And there's one
9 veterinarian.

10 MS. PHILLIPS: And there's one
11 veterinarian.

12 COUNCILMAN MARIANO: So one person
13 would be a veterinarian, someone else would have a
14 farm like yourself?

15 MS. PHILLIPS: No, no, it nothing to do
16 with having a farm; it has to do actually with --

17 COUNCILMAN MARIANO: What credentials?
18 I mean, could I be on it? I'm a City Councilman,
19 and I was an electrician before this.

20 MS. PHILLIPS: Councilman Ortiz is on
21 the board.

22 COUNCILMAN MARIANO: Is he?

23 MS. PHILLIPS: Yes. And I have some --

24 COUNCILMAN MARIANO: Angel, you're on
25 it?

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2 MS. PHILLIPS: Yes. There is always a
3 Councilperson on the committee.

4 COUNCILMAN MARIANO: Very good. And
5 let me question Councilman Ortiz. What is your
6 expertise to be on that? You rode horses when you
7 were young, in New York?

8 COUNCILMAN ORTIZ: I rode horses.

9 COUNCILMAN MARIANO: All right. He
10 bet? I think he placed some bets on the horses
11 somewhere along the line.

12 MS. PHILLIPS: Let me read to you. It
13 says -- this is the Animal Advisory Committee:

14 Two members shall be appointed as
15 representatives of community organizations.

16 Two members shall be appointed as
17 representatives of animal humane societies and
18 animal shelters.

19 One member shall be appointed as a
20 representative of private veterinarians or
21 veterinary hospital.

22 Two members shall be appointed as
23 representative of stables, kennels, or other
24 businesses primarily concerned with animals.

25 One member shall be appointed as a

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2 representative of the Department of Licenses and
3 Inspections.

4 Two members shall be appointed as
5 representatives of animal clubs or organizations,
6 which we also have.

7 And then it talks about the
8 responsibilities, if you want me to continue to
9 read.

10 COUNCILMAN MARIANO: No, no, I get the
11 point, but this has been -- let me just tell you
12 as an outsider, and please don't be offended. You
13 know, when I see these horses when I'm driving
14 down to DiCicco's house, and either I can't get
15 around them, and I told that when the people came
16 in. I said I don't really have a problem and I
17 understand the purpose here, and hopefully some of
18 my colleagues feel the same way. We understand
19 and we understand what's trying to happen, but we
20 don't know a whole lot about this. I'm just
21 shocked that there's an advisory council for this.

22 MS. PHILLIPS: That there's -- excuse
23 me?

24 COUNCILMAN MARIANO: That there's a
25 board, an advisory committee. I mean, I'm not

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2 shocked glad to know that. Is the person -- Otis
3 is here from L&I; is he on this board?

4 MS. PHILLIPS: Not it's someone else,
5 by the name of Robert Pili who's on there, from
6 L&I.

7 COUNCILMAN MARIANO: Okay, and he's not
8 here.

9 MS. PHILLIPS: He's not here.

10 COUNCILMAN MARIANO: I know Robert
11 Pili. But I've been reading a lot in the -- well,
12 I've seen a lot on the news about this and it
13 seems that there's been a lot of media attention
14 being brought to this. At this point, there's
15 somebody that got convicted yesterday, you
16 testified -- for being cruel to animals, was it?

17 MR. HAWKINS: It was charged.

18 COUNCILMAN MARIANO: Charged.

19 MR. HAWKINS: The D.A.'s office brought
20 charges.

21 COUNCILMAN MARIANO: My point is, with
22 all this media attention and the good Councilman
23 doing this, aren't most of the -- for, say, lack
24 of better words, the bad actor's out of this
25 business? Or are they hanging around looking to

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2 shoot back, which his bill may help work it out?

3 My concern here is there's somebody --
4 there has to be somebody here in -- the Health
5 Department testified that there's one good guy,
6 another almost as good guy, and somebody else just
7 hanging in there. So out of the five people, the
8 two scumbags are gone, correct?

9 MR. HAWKINS: Well, we don't know
10 that. We would like to think so but we're not
11 sure about that.

12 And by the way, Councilman, we're not
13 --

14 COUNCILMAN MARIANO: You got to be a
15 scumbag to be mean to a horse, really.

16 MR. HAWKINS: We're not here really to
17 separate the good from the bad. This is
18 legislation that applies to any carriage company
19 that would even want to open for business down the
20 road, and we would like the bad companies to be
21 totally out of business.

22 And Mr. Slocum does have a very good
23 operation, but it's not about Mr. Slocum and it's
24 not about any of the carriage companies.

25 COUNCILMAN MARIANO: And which one

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2 would Slocum -- Slocum's the good guy? You say
3 "good guy," 'cause I'm not sure who that is yet.
4 We'll get to that.

5 MR. HAWKINS: I've never called him "a
6 good guy," but he's got the best-looking horses
7 and the best stables, and he knows that.

8 COUNCILMAN MARIANO: So he's probably a
9 pretty intelligent businessman and he figures if
10 he get he keeps the horses -- when he gets up
11 here, I see his name -- if the horses are healthy
12 and he takes care of 'em, we don't chase him
13 around, you don't chase him around, and he gets to
14 stay in business in the City of Philadelphia?

15 MR. HAWKINS: But that -- that --

16 COUNCILMAN MARIANO: And I'll bet you
17 he's the guy that's -- and I don't know this, but
18 I'll bet you he's the guy that the Parks Service
19 -- he has the -- whatever the license from the
20 Park Service, am I correct in assuming that?

21 MR. HAWKINS: I think that's correct,
22 yes. However, his carriages, too, go off limit --
23 again, off routes and do all the things that the
24 other carriages do.

25 COUNCILMAN MARIANO: Are any of the bad

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2 actors or scumbags here today? Stand up, please.

3 (Laughter.)

4 COUNCILMAN MARIANO: Are they? No, no,
5 are they here?

6 MR. HAWKINS: I don't think anybody's
7 going to --

8 COUNCILMAN MARIANO: So the only one
9 here is the good guy? Which one's the good guy?
10 Stand up.

11 (Mr. Slocum stands up.)

12 COUNCILMAN MARIANO: Oh, the guy with
13 the nicest suit, okay, I get it. I made you stand
14 up.

15 I'm not trying to make light of this,
16 but we don't do this every day and we're trying to
17 -- with the wisdom of Solomon, we have to bring
18 all this information in and figure out exactly
19 what's going on. And for lack of better words,
20 you really care about this issue.

21 MR. HAWKINS: Absolutely.

22 COUNCILMAN MARIANO: I care about some
23 issues -- I have to care about all of the issues
24 and all these other Councilpeople. And now that I
25 know that Councilman Ortiz expert in this, we will

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2 be acquiesced in some of this to him.

3 MR. HAWKINS: Just to put it in
4 perspective --

5 COUNCILMAN MARIANO: I have this
6 picture in my mind of Angel Ortiz on a horse with
7 a cowboy hat that I can't get out of my head --
8 and it wouldn't be a carriage horse, right?

9 COUNCILMAN ORTIZ: It wouldn't be a
10 cowboy hat.

11 COUNCILMAN MARIANO: Okay, okay, but
12 that's where we are, correct? I mean, we have
13 some guys that are trying to do a good job and
14 we're fighting about degrees, two degrees, where
15 the temperature's going to be. I got a feeling
16 Frank's not going to make any -- Councilman
17 DiCicco's not going to make everybody happy here
18 today, as he said at the beginning.

19 MR. HAWKINS: But at the end of the
20 day, we're not talking about the good guys or the
21 good people: it's the animals. And I think that
22 gets lost in the translation along --

23 COUNCILMAN MARIANO: No, no, I think we
24 understand that. I mean, not myself and my God
25 knows how I feel about specific things -- in this

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2 case, horses. You're talking a little about New
3 York City.

4 MR. HAWKINS: Mm-hmm.

5 COUNCILMAN MARIANO: They had a problem
6 in New York City and you said they lowered the
7 temperature? Did you say that?

8 MR. HAWKINS: They actually don't have
9 good stables but they have very good regulations,
10 and we've got the reverse here: we're cleaning up
11 the stables now but we have lousy regulations.

12 COUNCILMAN MARIANO: So as a
13 legislator, I would think regulations would make
14 the stables better. Why do you think --

15 MR. HAWKINS: Not necessarily because
16 --

17 COUNCILMAN MARIANO: Why do you think
18 that -- why not?

19 MR. HAWKINS: Because that doesn't
20 consider --

21 COUNCILMAN MARIANO: 'Cause of
22 enforcement?

23 MR. HAWKINS: That doesn't consider the
24 horses' care when they're out on the street in
25 high temperatures or low temperatures or the

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2 number of hours worked.

3 COUNCILMAN MARIANO: But in your --

4 MR. HAWKINS: Stable conditions have
5 nothing to do with that.

6 COUNCILMAN MARIANO: You were telling
7 me about temperature a couple minutes ago, and in
8 New York, the temperature's lower, 90 to 89
9 degrees?

10 MR. HAWKINS: It's 90, and they want to
11 lower it to 89.

12 COUNCILMAN MARIANO: But they have bad
13 stable owners?

14 MR. HAWKINS: They have stables which
15 aren't meeting requirements, and they're about to
16 clean theirs up, too.

17 COUNCILMAN MARIANO: So what someone
18 else testified, and maybe the Councilman said, if
19 you take care of 'em and you do everything, they
20 may possibly be able to be out there a better
21 taken care of horse, maybe they'll be out there in
22 a little higher temperature than a horse that is
23 not taken care of.

24 MR. HAWKINS: Well, once again -- and
25 I'd like to address that specifically because you

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2 speak to any vet, as you've heard today, and they
3 will tell you that a well maintained, well cared
4 for, well fed horse can be out in pretty high
5 temperatures, and as an ex-marathon runner, I used
6 to run in very high temperatures for very long
7 distances, but I chose to do that. When a horse
8 is out there, they don't have that choice.

9 And as far as we're concerned, the
10 temperature for a horse that is out for an hour at
11 -- if it's 94 degrees and a horse is being worked
12 for just an hour and it's being ridden, that's a
13 big difference than being out pulling a heavy load
14 for four hours. That's the big difference here.

15 COUNCILMAN MARIANO: Let me ask you
16 this. What I'm getting here is a feeling that --
17 is there any room to compromise at all between the
18 carriage companies and the Advisory Board? Or is
19 it our way or no way. I mean, save us a lot of
20 problems 'cause we're going to do what we want
21 anyway, to be honest with you. We don't know
22 anything about horses, we're going to take in --
23 Angel does, but we're going to take in what you
24 give us today and digest it and make some kind of
25 decision and get it out of this committee with a

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2 favorable or a non-favorable recommendation, maybe
3 with some amendments.

4 But if I said to you now, Look, off the
5 record, but it's on the record because she's
6 taking it so be careful what you say, but if we
7 could go over there in the back room and -- we
8 wouldn't smoke cigars or anything 'cause we don't
9 did that anymore but --

10 MR. HAWKINS: That's good.

11 COUNCILMAN MARIANO: Is there a deal,
12 can we do something here? Is there a compromise,
13 not deal 'cause that never sounds -- compromise,
14 or is it "take it or leave it"?

15 MR. HAWKINS: No, we'd -- I think we'd
16 like to talk about it further, but we'd like to
17 see what's on the table.

18 COUNCILMAN MARIANO: Okay.

19 MR. HAWKINS: And we're practical
20 people. At the end of the day, we want to get a
21 better deal for the horses than they've got right
22 now.

23 COUNCILMAN MARIANO: That's fair and --

24 MR. HAWKINS: But we also to want it to
25 go, you know, way out of whack and have the same

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2 problem twelve months from now.

3 COUNCILMAN MARIANO: That's
4 understandable. I appreciate your candor and your
5 honesty. Like, again, this isn't in my expertise,
6 and I'm also trying to, you know, feel for the
7 horses, but I'm also trying to feel a little bit
8 for the one good guy or the guy in the nice suit
9 there --

10 MR. HAWKINS: I understand, we
11 understand that.

12 COUNCILMAN MARIANO: -- who stood up
13 because he does create some revenue for here that
14 pays my salary and some of the police people and
15 some of the firemen and the guys that clean up the
16 horse manure.

17 MR. HAWKINS: Well, unfortunately, the
18 horses are also costing the taxpayers money 'cause
19 we're footing the bill right now.

20 COUNCILMAN MARIANO: Probably. Well,
21 if we get rid of them bad actors, that won't
22 happen.

23 Any other questions for these
24 witnesses?

25 Councilman Rizzo?

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2 COUNCILMAN RIZZO: Thank you, Mr.

3 Chairman.

4 The -- I had a conversation with
5 Councilman DiCicco and we discussed the fact that
6 in Central Park in New York, where many of the
7 carriage operators --

8 MR. HAWKINS: They're also on Fifth
9 Avenue, mm-hmm.

10 COUNCILMAN RIZZO: Fifth Avenue. That
11 that they are also protected by vegetation, by
12 trees and --

13 MR. HAWKINS: Yes, they are, shade
14 trees.

15 COUNCILMAN RIZZO: I would assume that
16 90 degrees in the sun is a lot different than 90
17 degrees in the shade.

18 MR. HAWKINS: Big difference. I'm not
19 an expert on temperature, regardless of Mr.
20 Mariano's contention, but I would like to say that
21 there is a significant difference -- any human
22 knows that, too.

23 COUNCILMAN RIZZO: So whatever
24 temperature we come up with, if a horse is
25 standing or traveling on one of the streets that

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2 are not protected by buildings, not protected by a
3 shade tree -- I understand the staging area is,
4 where the horses are staged, that there are trees
5 that give them some --

6 MR. HAWKINS: Some partial protection.
7 The staging area has yet to be defined but the
8 current staging area doesn't have as many trees as
9 the previous, on Sixth Street.

10 COUNCILMAN RIZZO: But my point being
11 that in many cases, on a very hot, clear summer
12 day, these horses are in direct sunlight for most
13 of their day out on their beat.

14 MR. HAWKINS: Probably about two-thirds
15 to three-quarters of the time, yes.

16 COUNCILMAN RIZZO: So, again, that
17 temperature is even beyond the threshold of what
18 we're trying to establish here. Who knows what
19 the temperature of a horse standing at an
20 intersection at Fifth and whatever street would be
21 subjected to. So you have to take that into
22 consideration, that some horses that work in some
23 cities aren't exposed to the same environmental
24 conditions that the horses in this city are.

25 MR. HAWKINS: Sure, absolutely, because

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2 the surface on the streets in Central Park are a
3 little different than the tar and macadam that we
4 have in parts of Philadelphia, where you have you
5 have that radiant heat; you have a heat that is
6 really, really high.

7 COUNCILMAN RIZZO: I just wanted to
8 make that point, about the horses being out there
9 in the sunlight.

10 MR. HAWKINS: And I have a couple final
11 comments, if I could, just to --

12 COUNCILMAN RIZZO: I'm sorry, excuse
13 me. Before I move on, one of my colleagues,
14 Councilwoman Blondell Reynolds Brown, wanted to
15 say something.

16 COUNCILWOMAN BROWN: Good afternoon.

17 History is really important, and I've
18 just learned from my colleague here that the
19 discussion dialogue from the debate around this
20 issue has been going on for more now than 24
21 months. So given what I've read in the paper,
22 what I've tried to follow in the paper and my
23 limited understanding, I do need to hear the
24 answer to Chairman Mariano's question. Is there
25 any room for compromise? Has either side sat down

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2 face to face with the opposite opinion to examine,
3 talk through the possibility of a compromise?

4 MR. HAWKINS: In fact, there was a
5 meeting that -- it was a subcommittee that
6 Councilman DiCicco asked to be put together, which
7 included the Mayor's Animal Advisory Committee,
8 which included myself and Chairperson Phillips,
9 together with the Department of Health and also
10 the 76 Carriage Company representatives, and we
11 actually did agree on the 9 hours in harness and a
12 couple of other issues, close to the low-
13 temperature issue. The only issue that we were in
14 contention over was the high-temperature issue.

15 COUNCILWOMAN BROWN: Okay.

16 MR. HAWKINS: But is there room for
17 compromise? If we can get a lot of things that
18 will benefit the horses, then we would have to
19 seriously consider that.

20 COUNCILWOMAN BROWN: Seriously have to
21 consider what? You say "that," what's "that"?

22 MR. HAWKINS: Whatever the
23 recommendations might be. For instance, 94 is too
24 high, 93 is too high, 92 is still too high, but
25 anything under that would be worthy of

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2 consideration.

3 COUNCILWOMAN BROWN: Very well.

4 Thank you.

5 COUNCILMAN DICICCO: Thank you.

6 COUNCILMAN CLARKE: Councilman
7 DiCicco?

8 COUNCILMAN DICICCO: Just for the
9 Councilwoman's -- the first bill, I think I
10 introduced a bill back in '97 or '98 was the first
11 bill?

12 MR. HAWKINS: It was '98. We actually
13 had hearings in '97, too.

14 COUNCILMAN DICICCO: And in that bill,
15 I had recommended a temperature of 92.

16 MR. HAWKINS: 92, that's correct.

17 COUNCILMAN DICICCO: And then in
18 subsequent, 90. So we've been moving around
19 where. It winds up today, I don't know yet, but
20 we all agree that it should be lower than 94. I
21 think that's the one thing I can say with
22 certainty at this point. Somewhere between the 90
23 and 94 or 93 is where I think we're going to wind
24 up with today. I mean, I'm not prejudging what
25 the committee will do.

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2 But so that you understand, there was
3 movement, there was some compromise, although it
4 may not have been very well received by most
5 people, but we did move from the 94 to 92, and now
6 we're talking at 90. So we have been making some
7 progress, I believe.

8 MR. HAWKINS: What I'd like to add to
9 that, if I could, just very briefly is that every
10 other major city, except one, is 90 degrees or
11 less. I think there may be two other cities: one
12 is 94-95, one is 92, and all the others are 85 to
13 89, maybe 90. And that's why we don't want to be
14 on the bad end of that scale.

15 Thank you for your time.

16 COUNCILMAN MARIANO: Mr. Bush Bell?

17 Any other questions for these witnesses?

18 (No further questions.)

19 COUNCILMAN MARIANO: Seeing done,
20 Mr. Bush Bell and Mr. Washington.

21 (Witnesses come forward.)

22 MR. BELL: Good afternoon. My name is
23 Bush Bell, and I'm the General Manager at the
24 Sheraton Society Hill, at Second and Dock
25 Streets. Thank you all very much for allowing me

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2 to appear today. I'm also speaking on behalf of
3 the Greater Philadelphia Hotel Association, whose
4 members include the general managers from every
5 major hotel in Philadelphia and in the region.

6 My hotel attracts a mix of business
7 travelers and conventioners and tourists, and we
8 welcome and host over 100 tours that come to our
9 hotel throughout the year, and these tours
10 typically start in New York or Washington, and
11 then spend one night in Philadelphia as they move
12 on to rest of their nights on their tour. And
13 many hotels in Philadelphia, of course, tour
14 groups.

15 In my opinion, the horse and carriage
16 rides are a valuable and very important amenity
17 that are enjoyed by many of our visitors to our
18 hotel as well as to the City. And in our case,
19 tour groups contract with the 76 Carriage Company
20 and provide regular carriage tours to our guests,
21 departing from our hotel in Society Hill. Other
22 guests and travelers that stay with us look
23 forward to these rides as well, and they ask our
24 concierge to make arrangements for the carriages
25 to come and pick them up at the hotel, or in many

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2 cases, they go up to the staging area at
3 Independence Mall.

4 While we at the Sheraton Society Hill
5 and the Greater Philadelphia Hotel Association are
6 not blind to the problems that exist in the
7 carriage industry, we do see that some horses do
8 appear unhealthy and that we know that traffic
9 does have to move around the carriages. However,
10 the hotel industry believes that the City should
11 work with the carriage industry to improve the
12 treatment of their horses rather than the limits
13 that are proposed under the current amendment.

14 If a horses are sick and poorly
15 treated, then, by all means, they should be taken
16 off the streets and the operators need to be dealt
17 with, but limiting the carriages -- they said also
18 say limit the carriages from busiest thoroughfares
19 throughout the rush hours. And we need to find
20 ways to deal with the smells that are created by
21 horses.

22 In our view, the bill currently before
23 Council addresses these problems but it goes too
24 far. By banning carriages for long periods during
25 weekday mornings and afternoons, many of our

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2 guests will be unable to enjoy carriage rides, and
3 it's inconvenient for customers to wait until 10
4 a.m. to take their morning rides or until late in
5 the afternoon, after 7, to do so. And travelers
6 will many times just skip the opportunity of
7 taking carriage rides, which is -- as they are
8 unable to fit it into their schedule. And as a
9 result, they may spend less time in Philadelphia
10 -- as we all know, we're trying to get more
11 people to spend more time -- and they won't be
12 able to enjoy the shops and restaurant and other
13 find amenities that our city has to offer.

14 It's also important that carriages
15 continue to be available outside the historic area
16 of Philadelphia. Weddings and other special
17 events at hotels in the Rittenhouse area and
18 beyond frequently request horse and carriages to
19 take the bridal party, VIPs, and other guests to
20 and from receptions. And these events are
21 frequently in the evenings and on the weekends,
22 but in many cases, they occur on weekdays as
23 well. And we hope that the City will allow
24 carriage companies to continue to provide these
25 unique services.

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2 In summary, I feel that the carriage
3 industry is an important amenity that the City has
4 to offer, as there are many amenities that our
5 city has. However, it's the combination of all of
6 these amenities that make Philadelphia such a
7 great tourist destination.

8 That's the end of my statement and I'll
9 be glad to take any questions that you may have.

10 COUNCILMAN ORTIZ: I have one.

11 COUNCILMAN MARIANO: Councilman Ortiz.

12 COUNCILMAN ORTIZ: I don't think that
13 the legislation goes to elimination of the
14 carriages and the carriage rides, but I would like
15 you, if you can, to make clear to the panel what
16 is it that you're for and what is it that you're
17 against in terms of the legislation. And I
18 imagine that you're for some type of regulation of
19 the industry.

20 MR. BELL: Oh, absolutely. I clearly
21 believe as -- you know, I work in Center City and
22 as I'm going to and from work, I'm behind
23 carriages and I drive down (unintelligible) Street
24 every day, and there are horses that are clearly
25 not treated well, and those horses should be

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2 removed from service. And if the stables are
3 unhealthy then, yes, there clearly needs to be
4 stronger regulations to protect those animals
5 because, unfortunately, there are some operators
6 that don't have the animals' best interests in
7 mind.

8 COUNCILMAN ORTIZ: Do you believe that
9 there are certain weather conditions under which
10 the horses or anyone should not be outside working
11 and plying a trade?

12 MR. BELL: Well, I mean, that's kind of
13 a loaded question. Of course, there are certain
14 weather conditions that people shouldn't be
15 involved in strenuous activities. What that level
16 is, I don't have the expertise to make a comment
17 on that, I'd prefer not to. I'll leave that up to
18 the experts to make that recommendation.

19 COUNCILMAN ORTIZ: But do you believe
20 that some sort of regulation in terms of
21 temperatures that would make it healthier for
22 horses to be in much more humane conditions, that
23 temperatures have to do with conditions that can
24 hurt horses and their health and their condition?

25 MR. BELL: Yes, I do believe that

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2 temperature plays an impact is it 94 or 92, 89?

3 I'm not qualified to make a recommendation to

4 that, and I shouldn't.

5 COUNCILMAN ORTIZ: So if the panel here

6 recommends legislation that says above 90 degrees,

7 horses should not be out, you wouldn't have a

8 problem with that.

9 MR. BELL: Well, one concern I would

10 have is the -- when the -- the impact that that

11 would have on the overall availability of

12 carriages. And I know that there are, you know,

13 many days when the temperature will exceed 90

14 degrees, and there are still tourists in the

15 historic park, there are still tourists in Old

16 City that want to enjoy their time there, and the

17 carriage rides currently are an important part of

18 their experience in Philadelphia. You know, there

19 would be many, many days that it would be over 90

20 degrees or within this window, and that would be

21 my concern. People come to Philadelphia to enjoy

22 their time, and the carriage ride is an important

23 part of their stay.

24 COUNCILMAN ORTIZ: I don't think anyone

25 on the panel wants to outlaw them 'cause I enjoy

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2 carriage rides. I like to take the kids around
3 Center City and Independence Park and so on. And
4 when my nephews come from other parts of the
5 country, I like to take them in. But there are
6 certain conditions that have to be adhered to
7 because we want the horses to be healthy. We
8 don't want to be able, you know, either to exploit
9 horses.

10 There are not many days, really, during
11 the year really that are really above 91 degrees.
12 For example, I have a page here that in 1999,
13 there were 25 days during the year that were above
14 91 degrees and 18 days above 93 degrees and 11
15 days above 94 degrees. I think -- I think there
16 is a correlation, I believe, and I think the
17 medical and veterinarians will do that between
18 heat, humidity, and the ability of animals to be
19 able to perform.

20 And if we want to have a very viable
21 tourist trade, we should have at least the most
22 humane regulations possible. Don't do you believe
23 in that?

24 MR. BELL: Absolutely.

25 COUNCILMAN ORTIZ: Okay. Thank you,

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2 Mr. Chair.

3 COUNCILMAN MARIANO: Councilman Clarke.

4 COUNCILMAN CLARKE: Thank you,
5 Mr. Chairman.

6 I had a quick couple questions. I
7 don't know if you can answer both of them. One of
8 them -- I heard the testimony speak of the tourist
9 industry, and you in particular spoke of that.

10 MR. BELL: Mm-hmm.

11 COUNCILMAN CLARKE: One, I'd like to
12 get a sense of how many tourists, say, for
13 instance, a week would request a carriage ride.

14 MR. BELL: Well, in our hotel, we do
15 over -- specific bus tour groups exceed 100 every
16 year, and there's typically 20 to 30 people that
17 would be in that tour group.

18 COUNCILMAN CLARKE: Per tour group?

19 MR. BELL: Per tour.

20 COUNCILMAN CLARKE: That would request
21 a carriage ride?

22 MR. BELL: That specifically request
23 carriage rides. As a matter of fact, it's their
24 only scheduled event for our primary tour guide,
25 which brings about 90 of the tours to our hotel.

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2 The only scheduled activity that they have in the
3 City of Philadelphia is the carriage ride, at
4 least from our hotel.

5 COUNCILMAN CLARKE: Okay. And the
6 second question related to that is -- and, I don't
7 know, maybe somebody who knows more about the
8 industry can answer that. How much -- how
9 dependent is their business on the tourism aspect
10 of that particular carriage ride versus just a
11 couple that's down the street or my or my
12 colleague Councilman Ortiz from time to time?

13 MR. BELL: Well, I don't want to
14 mislead you. The tour business in the City of
15 Philadelphia is far exceeded by the convention
16 business travel obviously, yes. Tours in our
17 hotel make up less than 5 percent of our total
18 business.

19 However, it's the leisure travelers
20 that also stay at our hotel that make up a
21 significantly larger part of our business that
22 also enjoy the carriage rides. And many times,
23 they may not even go on a carriage ride, but it
24 creates the whole ambience of what historic
25 Philadelphia is all about, and it's the cobblestone

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2 streets, it's the historical buildings. And they
3 are just walking and enjoying the historic area of
4 Philadelphia, they see horse and carriages go by,
5 and it just creates that ambience that they're
6 looking for. The historical significance of
7 Philadelphia is anchored in place by that.

8 COUNCILMAN CLARKE: And if you -- I
9 don't know if someone from the carriage ride
10 business is going to testify later Mr. Chairman --
11 okay, I'll ask that question of them at that time.

12 Thank you.

13 COUNCILMAN MARIANO: Any other
14 questions for this witness?

15 (No further questions.)

16 COUNCILMAN MARIANO: The next witness.

17 MS. WASHINGTON: Hi. Good afternoon.
18 To the Chairman and members of the committee,
19 thank you for allowing me to --

20 COUNCILMAN MARIANO: Could you state
21 your name for the record.

22 MS. WASHINGTON: Certainly. My name is
23 Patricia Washington, and I'm the Vice President of
24 Grants and Partnerships for the Greater
25 Philadelphia Tourism Marketing Corporation. I'll

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2 move up a little bit so you can hear me.

3 I bring you remarks on behalf of our
4 president and CEO Meryl Levitz, who was unable to
5 join us today due to another commitment. In my
6 capacity at GPTMC, I work very closely with many
7 of our tourism partners who might potentially be
8 affected by the changes being proposed in the new
9 carriage bill.

10 Let me begin by applauding the actions
11 of Council to properly regulate Philadelphia's
12 horse carriage industry. The historic fabric of
13 the City is what visitors say they like most about
14 coming here, and carriage tours are a big part of
15 what makes our city an attractive and a historic
16 destination. They add -- as my colleague Mr. Bush
17 said, they add to the ambience that makes the
18 Independence Park area one of the most popular
19 places to visit among travelers. It is within the
20 spirit of preserving the character of what is
21 known as "America's most historic mile" that we
22 urge the committee to modify some of the suggested
23 provisions of the proposed bill.

24 First, we would recommend adjusting the
25 proposed times under which the carriages would be

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2 allowed to operate. The proposed times would ban
3 carriages during times when they currently
4 accommodate the greatest number of visitors, which
5 may jeopardize the services for which many of the
6 local and national tour companies have been
7 engaged to perform. We will be, in effect,
8 altering the tourism product in such a manner that
9 it may not be as attractive a package to our
10 guests, which include the tour companies and the
11 overnight guests they serve, along with
12 unscheduled groups, conventioners, leisure
13 travelers, and residents. Timing in this instance
14 is everything and we urge the committee to work
15 with all effected parties in developing a schedule
16 that better addresses these concerns.

17 Other changes being proposed by this
18 bill include adjusting the routes and limiting the
19 conditions under which the carriages operate.
20 While we would support any changes which would
21 ensure the safety of the animals, the safety of
22 the public, and the demands of our visiting
23 tourists, we believe that serving the interest of
24 one at the expense of the other will cause greater
25 conflict, where cooperation is essential.

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2 We cannot offer solutions; however, we
3 believe it is our goal to urge the conversation to
4 continue in reaching a common ground that balances
5 the needs of the City and its growing tourism
6 industry.

7 I thank you for the opportunity to
8 address you today, and I'm open for questions.

9 COUNCILMAN MARIANO: Councilman Ortiz.

10 COUNCILMAN ORTIZ: Would you be more
11 specific as to what your recommendations are?
12 Because you mention certain times and so on, but
13 you did not say which times you preferred.

14 MS. WASHINGTON: Well, we're not in a
15 position to advocate for one specific time over
16 another.

17 COUNCILMAN ORTIZ: But your testimony
18 says specifically that.

19 MS. WASHINGTON: Well, we know that,
20 based on what's in the bill, that it would cause
21 carriages to shut down during the afternoon hours,
22 and common sense tells us that that's when most
23 visitors are interested in taking carriage rides
24 -- in the afternoon, early evenings.

25 COUNCILMAN ORTIZ: Do you have anything

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2 other than common sense to tell you that?

3 MS. WASHINGTON: We, don't currently
4 track the number of visitors that utilize the
5 carriage services; that's not one of the things
6 that we track in our research.

7 COUNCILMAN ORTIZ: But in order for us
8 to be able to arrive at a decision, we depend on
9 individuals such as yourself and the gentleman who
10 are in the tourist industry to help us, because
11 you have an expertise as to when the tourists are
12 here, when they go up, when they're available and
13 so on and which times they go to your concierge
14 and ask for certain activities and so on.

15 To testify that the times and the
16 legislation are not adequate and then not give
17 very specific times as to where the adequacy
18 should be and what time those hours should be
19 really leaves us up in the air.

20 MS. WASHINGTON: I understand that.

21 COUNCILMAN ORTIZ: And our -- you know,
22 and then we are going to have to make a decision
23 and we would like to make it -- some of us would
24 like to make it at least with the most information
25 and when it is best for both the industry, the

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2 tourist industry, and the animals, and -- because
3 we consider the health and safety of the animals
4 important, some of us do that.

5 So we would like to find out, you know,
6 when is the best time available.

7 MR. BELL: Councilman, I can respond to
8 that specifically about our hotel. And, as I
9 said, the major tour groups that we have staying
10 with us, they have the carriages pick them up
11 between 8 and 8:30 in the morning, and they go on
12 -- typically it's an hour tour of Old City and
13 Society Hill, and they return back to the hotel,
14 and then they have the whole day in front of them
15 to enjoy Philadelphia.

16 My concern is that the current
17 proposals do limit the times from 3:30 till 6, and
18 then again after 9, and then the travel time in
19 between the carriages really stretches out between
20 the stables another 30 minutes on each side. I
21 think that clearly the times that people want to
22 -- they want to have an opportunity to enjoy the
23 carriages as much as possible.

24 Yes, I think there should be some
25 restrictions, but I currently feel that the

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2 current restrictions you have in place are much
3 too broad. 7 to 9:30 in the morning and then 3:30
4 to 6 and then again after 9 o'clock, I think, is
5 just too long, and we want to --- our guests want
6 to enjoy Philadelphia, and we're just limiting the
7 amount of time they can use this very important
8 amenity.

9 COUNCILMAN ORTIZ: Well, I don't think
10 -- Councilman DiCicco draft this and I've gotten
11 to know him very well since he's gotten here, and
12 I don't think in his legislation he usually makes
13 up things out of thin air. The hours that he has
14 in there are probably because he has gone through
15 a process of investigation and negotiations with
16 the industry and, I would hope, people from the
17 tourist industry.

18 If there is -- if that is not what you
19 are thinking about or accepting, we would like
20 more definitive answers than just speculation.

21 MR. BELL: Well, in this case, then you
22 should ask the operators what their key peak times
23 are. I can tell you when our guests use it, our
24 primary users of the industry are.

25 But ask the gentleman who follows us

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2 what times they use 'em. You know, if you're
3 concerned about traffic, I would have to assume
4 that the Councilman has talked to the Police
5 Department to find out when the key traffic
6 periods are and then let that guide you.

7 To ask me anecdotally to provide
8 information -- I don't think -- I don't have that.

9 COUNCILMAN ORTIZ: Thank you.

10 COUNCILMAN DICICCO: Thank you.

11 You mentioned when you -- that some
12 tours may start as early as 8:30 in the morning?

13 MR. BELL: Yes.

14 COUNCILMAN DICICCO: Do you know about
15 those tours in advance generally, or are they
16 impulse things?

17 MR. BELL: No, no. They are well
18 planned advance.

19 COUNCILMAN DICICCO: But the bill
20 provides that special permits can be obtained in
21 advance of the bookings. So if someone, as an
22 example, wanted to book a carriage or carriages --
23 the proposed legislation has ten days and I think
24 we're going to modify that down a little bit, but
25 in either event, there is at least a minimum of

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2 five days in which a special permit can be
3 requested.

4 MR. BELL: Well, I only think that's
5 appropriate.

6 COUNCILMAN DICICCO: I see Josh Grimes
7 shaking his head no. You want to comment on that,
8 Josh? You can come to the table now.

9 MR. BELL: My understanding is --

10 COUNCILMAN DICICCO: While Josh is
11 coming up, though, I just -- the reason, and I
12 think, Mr. Bell, you hit on it was -- one of the
13 reasons that we looked at the prohibited hours in
14 the morning and the afternoon basically had to do
15 with traffic control and the issues concerning the
16 safety of the horses as well as the passengers in
17 the carriages at rush hour. And from my personal
18 observation, as an example, on many occasions, I
19 took the time to go out into the area where the
20 carriages are operating in during the hours that
21 present legislation prohibits them to be there and
22 -- I'll refer to my earlier statement -- if the
23 carriage companies all acted in the manner in
24 which 76 Carriage Company did, we probably
25 wouldn't be here today, except for maybe the

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2 temperature issue.

3 But I've observed it on many occasions,
4 and I went out specifically to observe Race Street
5 at 4:30 in the afternoon and 5 o'clock mountain in
6 the evening, at the height of the traffic. And
7 Race Street is a major artery to take traffic out
8 of Center City and to get it onto 95 or Columbus
9 Boulevard. It's amazing, it is amazing that no
10 one or no animal has been killed or injured as a
11 result of the congestion that is caused there.
12 And you might be right that visitors and tourists
13 would rather be out there at that time, but they
14 might not understand it, but it's really in their
15 interests that we prohibit the carriages from
16 certain routes during certain times because of the
17 congestion and the problems related with vehicular
18 traffic and the accidents that could be involved
19 as a result of the carriages mixing in with the
20 traffic.

21 So, again, I've been a promoter of
22 economic development and hotel industry and most
23 of it occurs in my district. So, again, as
24 Councilman Ortiz said, we're trying to get some --
25 even though we've been working on this and I've

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2 been working on it for the better part of two
3 years, I've still come to some road blocks in my
4 decision, my final decision-making as to some of
5 the recommendations in this bill in front of us
6 today on the hours of operation or the prohibited
7 hours and the routes. We're actually still
8 tinkering with it as we're speaking today.

9 This committee will make some
10 recommendations, I assume, for a final vote of the
11 bill out of committee favorably or unfavorably,
12 and that's why we're asking those questions.

13 In the evening, as an example, I mean,
14 the police obviously have an issue and why they
15 suggested that the hours of operation end at 9
16 p.m. because it gets darker, at 9 o'clock
17 especially, and in the winter, it gets darker even
18 earlier, but we're trying to find that balance
19 between the daylight savings time and standard
20 times to allow these carriages to operate.
21 Because in the evening -- you know, it could be 94
22 in the afternoon but by the time it gets to be 8
23 o'clock at night, it's much cooler, and the
24 industry can continue to operate and people can
25 continue to take advantage of the carriages. So

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2 you know it's kind of fluid at times, I think,
3 this whole thing.

4 I appreciate your testimony but, again,
5 that's why we asked you to be here today, and I do
6 appreciate both of you being here today, to try to
7 get some additional information before the final
8 decision is made.

9 (Mr. Grimes comes forward.)

10 COUNCILMAN DICICCO: Mr. Grimes, you
11 were shaking head. I think I know where you're
12 going, but --

13 MR. GRIMES: Councilman, if you don't
14 mind, I'd like to offer a point of clarification.

15 COUNCILMAN DICICCO: State your name
16 for the record, please.

17 MR. GRIMES: For the record, I'm Joshua
18 Grimes. I am here today as counsel for 76
19 Carriage.

20 Councilman, you know, I really hesitate
21 to clarify issues that you or any other member of
22 Council bring up, but under your bill, as it's
23 proposed now, you would -- a carriage company
24 would not be able to get a permit during the
25 prohibited hours, which, in the morning include 7

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2 in the morning to 9:30 a.m. So, in fact, a tour
3 company wanting to take a tour at the Society Hill
4 Sheraton at 8:30, in fact, could not do that tour
5 under this bill as it's presently written.

6 So I just wanted to clarify that.

7 COUNCILMAN DICICCO: I realized that
8 after I said it and I saw you shaking you're head
9 that I was --

10 COUNCILMAN MARIANO: Thank you, Mr.
11 Grimes.

12 Any other questions?

13 Councilman Rizzo.

14 COUNCILMAN RIZZO: I'll take advantage
15 of Counselor Grimes being on the stand with us.
16 In reference to your memo about above 90 degree 30
17 days, let's say that during the time of operation,
18 it's 85 degrees and it then hits 94 degrees for 3
19 hours of the day and then above 90 degree days.
20 You said it's 30 days off the street according to
21 the arithmetic. Are you talking because it
22 reached that one day at sometime late afternoon 90
23 degrees, did you count that as a day?

24 MR. GRIMES: Yeah. Councilman, I got
25 these statistics from the National Weather

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2 Service. And, in fact, I don't have the times
3 that it reached those temperatures, but I think
4 for the effect of this -- and I offered these
5 statistics solely because Councilman DiCicco asked
6 for them.

7 COUNCILMAN RIZZO: But --

8 MR. GRIMES: But I think the -- if I
9 may, the consequences that the carriages, as I
10 understand it, are directed to leave the street
11 and go back to the stables when it reaches this
12 temperature. So even if it only reaches that
13 temperature for an hour at 4 in the afternoon,
14 under the current rules, I believe they're off the
15 streets for all intents and purposes probably at
16 least an hour and a half because they have to go
17 back to the stables and wait.

18 COUNCILMAN RIZZO: But they weren't off
19 the street for a day.

20 MR. GRIMES: Not a whole day, no, but I
21 wasn't --

22 COUNCILMAN RIZZO: So I think -- I
23 think, you know, we really -- it's kind of skewed
24 here because it's 30 days for 4 hours isn't a
25 whole day.

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2 MR. GRIMES: That's correct. As I say,
3 this was offered, and I had not realized this
4 would be offered to all the Councilpeople, so I
5 apologize if it's misleading, but --

6 COUNCILMAN RIZZO: Thank you.

7 COUNCILMAN DICICCO: No, I offered it
8 to them to give them a sense of what the
9 possibility or the potential for carriages not to
10 be able to operate, because there's a business --
11 there is a business issue being discussed here as
12 part of this entire legislation and what but the
13 impact on the industry would be, and I thought it
14 would be best to share that with them so they get
15 a sense of --

16 MR. HAWKINS: Councilman, could I add
17 something to that, please.

18 COUNCILMAN DICICCO: Please state your
19 name again for the record.

20 MR. HAWKINS: I'm William Hawkins.

21 I did a study of the last three years
22 '97, '8, and '9, and in 1999, 90 degrees and
23 above, there were 29 days; 1998, 14; 1997, 13 that
24 were above 90 degrees, 90 and above.

25 And Councilman Rizzo is exactly right;

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2 those are partial days, so it become a smaller
3 percentage of a smaller number of days. 1999 was
4 an extraordinarily hot year, which is why it was
5 excessively high as far as the 29 days.

6 COUNCILMAN DICICCO: Thank you.

7 Any other questions for these
8 witnesses?

9 COUNCILMAN DICICCO: Excuse me.

10 Mr. Hawkins, I'm not trying to be sarcastic, but
11 where did you get your temperature from?

12 MR. HAWKINS: The national Weather
13 Service.

14 COUNCILMAN DICICCO: National Weather.

15 COUNCILMAN MARIANO: Not from the
16 airport, right?

17 MR. HAWKINS: Not from the airport, no.

18 COUNCILMAN DICICCO: Okay.

19 MR. HAWKINS: Mt. Holly, New Jersey.

20 COUNCILMAN MARIANO: Bill, why do I
21 think you have a thermometer in every room?

22 COUNCILMAN DICICCO: Thank you.

23 COUNCILMAN MARIANO: Thank you.

24 Any other questions?

25 COUNCILMAN DICICCO: But you're close.

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2 You have 29, (unintelligible) says 20 and you had
3 30, so we're not miles apart.

4 COUNCILMAN MARIANO: Any more questions
5 from the committee?

6 (No further questions.)

7 COUNCILMAN MARIANO: Seeing none, the
8 next group is Dr. Ellen Buck, Leslie Fleisher,
9 David Cantor and Roberta Spivek and Leslie
10 Fleisher. Let's try to squeeze everybody up
11 here. If you're at odds, don't fight.

12 (Witnesses come forward.)

13 COUNCILMAN MARIANO: Which one's the
14 doctor?

15 DR. BUCK: I'm Dr. Ellen Buck, and I'm
16 here to speak on behalf of the Humane Society of
17 the United States. I'm the Director of Equine
18 Protection for HSUS. Our offices are in
19 Washington, DC.

20 I'm a licensed veterinarian and I have
21 been for the past 14 years. In the first seven
22 years of my career, I was in private practice on
23 strictly horses, including race track practice, so
24 I was biting my tongue during some of the earlier
25 conversation here. After seven years in private

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2 practice, I joined the Food and Drug
3 Administration, where I worked on animal drug
4 development, dog, cat and horse development for
5 five years.

6 And a little more than a year ago, I
7 took the position with HSUS as Director of Equine
8 Protection. In that capacity, I develop and
9 represent for the organization all of their views
10 on domestic horse issues -- carriage horses being
11 one part of that. So I'm not as prepared as I
12 would like to be because I have to cover the
13 entire spectrum of equine issues for the
14 organization, not just carriage horses. So this
15 has been thrown together a little bit quickly here
16 right now today.

17 Let's see. Carriage horses, I just
18 want to say, were actually the initiating factor
19 in the development of the humane movement -- this
20 might be a little more history than you care to
21 hear, but the ASPCA was founded in the 1800s to
22 respond to the needs of carriage horses in New
23 York City, so they have been the driving force
24 behind all humane movements and are a continuing
25 problem here in the year 2000.

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2 From my office -- and, again, I am in
3 the central office, and I came up here as a favor
4 to one of our regional offices that deals with the
5 Philadelphia. I had been contacted by folks in
6 Philadelphia about this issue before, but I just
7 wanted to say that I get complaints from Hawaii to
8 New York with complaints about the carriage-horse
9 issues.

10 I have ongoing complaints and have had
11 dialogue with people working on carriage-horse
12 issues in Bermuda; Little Rock, Arkansas; Mackinaw
13 Island, Michigan; New Orleans, Honolulu; and last
14 year, in the height of the heat, had a complaint
15 from someone in New York City because of carriage
16 horses still being on the street despite the
17 temperature having surpassed their threshold
18 requirement. There's not a lot I can do about it
19 at that point, but it an ongoing problem all
20 across the country.

21 The point of view of my organization is
22 primarily that we would prefer not to see carriage
23 horses in urban areas. It's a concern about the
24 horses, the horses trying to work in traffic,
25 horses working in congestion and with the fumes,

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2 and horses primarily with the high temperatures,
3 and also the bad footing. But we recognize that
4 in a lot of cities, it is going to -- it's going
5 to continue; Philadelphia being one of those
6 cities, New York being one of those cities. So in
7 most cases, we try to work with you all to develop
8 the most humane possible regulations with the
9 interest of the horses in mind. So I'm not here
10 to tell you to throw your entire carriage industry
11 out, but I would like to encourage you to make the
12 most humane possible laws that you can.

13 You have to recognize -- tourism is a
14 concern here. But you have to recognize that
15 there's more than 7 million members of the Humane
16 Society of the United States, that are -- some of
17 whom wind up calling me with complaints about
18 this, so you're concerned about maintaining a
19 positive image in your tourist industry, but you
20 also have to recognize that a bad carriage
21 industry also reflects very badly on your city.
22 Those are the people that call me. I have people
23 calling and saying they will never return to
24 such-and-such place because of what they saw. So
25 you do have to be concerned about that. It as an

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2 equal impact to negatively impact on your tourist
3 industry as it does to positively impact it.

4 I'd like to address primarily in my
5 discussion here the issue of high temperature. I
6 actually have a package of information that I'll
7 give you all at the end here -- I meant to pass it
8 out before here -- a letter on our letterhead on
9 behalf of most of the proposed regulations. But
10 you do have pretty much the highest temperature
11 threshold of any city that I could come across.

12 I did pull out the regs and I've
13 included them in the package of information for
14 Washington, DC and for Cleveland, Ohio. In
15 Washington, the high threshold is 89. Cleveland
16 has a very comprehensive, very carefully worded
17 carriage-horse regulation. Their high temperature
18 threshold is 85, and the initiating factor for
19 their regulations that have been developed was an
20 unpleasant accident involving humans and horses
21 some years back.

22 Contrary to --

23 COUNCILMAN DICICCO: Excuse me, could I
24 interrupt you?

25 DR. BUCK: Mm-hmm.

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2 COUNCILMAN DICICCO: Where was it, in
3 Cleveland, that it's 85?

4 DR. BUCK: Cleveland, mm-hmm.

5 COUNCILMAN DICICCO: So do they still
6 have a horse carriage business out there or --

7 DR. BUCK: I'm not certain. This was
8 fairly recent, so -- and, again, you know,
9 Washington, DC and every other city. As has been
10 pointed out, regulating the temperature really has
11 not put these organizations out of business.

12 COUNCILMAN DICICCO: Okay, just
13 curious. Thank you. I didn't mean to interrupt
14 you, I just --

15 DR. BUCK: That's okay, that's fine.

16 COUNCILMAN DICICCO: You just got my
17 attention on that.

18 DR. BUCK: Let's see, okay. I have
19 with me -- and I won't bore you with this too
20 much, but I did a literature source for
21 information on horses exercising in heat, and it
22 turns out there's a considerable body of medical
23 literature on that issue.

24 The initiating factor for that was,
25 when it was announced that the Olympics were going

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2 to be held in Atlanta in 1996, there was
3 considerable concern about the effect on the
4 horses competing in the heat in the equestrian
5 phases of the Olympics so that you need a real
6 economic incentive to initiate a lot of animal
7 research, and that was the factor that started a
8 lot of that.

9 They did a lot of studies measuring
10 specific parameters of horses' body temperature,
11 core body temperature, sweating, everything you
12 can imagine -- more than you can imagine, because
13 it's heavy science -- in horses exercises in low
14 temperature and low humidity, moderate temperature
15 and moderate humidity, and high temperature and
16 high humidity. The threshold standard that they
17 used in numerous studies -- and, again, I have the
18 abstracts here with me that I'll provide you with.

19 The high temperature threshold was 30
20 degrees Centigrade, which is 86 degrees
21 Fahrenheit. That was considered a high
22 temperature extreme for these horses working.
23 They weren't working for periods of 8 or 9 hours;
24 these were fit race horses that were exercised in
25 a structured amount of time, usually about 45

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2 minutes. And in 45 minutes at the high
3 temperature and high humidity threshold, they were
4 able to get body temperature up to a critical
5 point where they had to stop exercising. So 86
6 degrees with exercise is a considerably high
7 temperature for a horse.

8 The other point that some of these
9 studies make is, we make the comparison between
10 people and their ability to exercise in heat and
11 horses. There is some tremendous similarities,
12 but the fact is, horses are not as able to
13 dissipate heat as humans; horses are less
14 heat-tolerant than we are. So because of the
15 shape of their body, their muscle mass, they can't
16 tolerate heat even as well as we can.

17 You're talking about taking your
18 temperature threshold from 95 and perhaps making
19 it as high as 92. I would maintain that I think
20 89 would be much better. I certainly don't
21 believe you should go above 90. And, again, high
22 temperature, high humidity in research studies has
23 been considered 86 degrees. I've even got some
24 finished studies where it was about 82 degrees as
25 the high temperature threshold there.

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2 And, again, the other factor is, you're
3 talking about riding horses, and I've ridden my
4 horses in the heat as high as 94. I've also come
5 close one time in very high humidity to, with
6 light exercise, putting in one of my horses in
7 heat stress, which was a very scary thing because
8 I didn't have access where I was riding. In the
9 woods and in the shade, I didn't have access to
10 any of my equipment and cooling.

11 And that's also a problem in the City.
12 You don't want to push these horses to the point
13 of heat stress because who's going to come in and
14 save them? You need large quantities of water,
15 you need intravenous fluids.

16 The studies that I've cited here were
17 controlled circumstances and fit horses. And one
18 more point about the fit horses is, thoroughbred
19 horses and light-bodied horses actually are able
20 to control their body temperature and dissipate
21 the heat more readily than draft horses. The
22 heavier breeds of horses, the kinds that tend to
23 be carriage horses are less tolerant of heat, even
24 on a light breed of horse or riding breed of
25 horse.

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2 Let's see what else I have here. The
3 other thing we do too with riding horses is,
4 again, yes, we can ride, but we're ready to jump
5 off and initiate cooling immediately, which they
6 also did in these studies -- hosing and providing
7 fluids. And that's what they did to accommodate
8 Atlanta; they changed the times of work so that
9 they were working in cooler --

10 COUNCILMAN MARIANO: Not to interrupt
11 you, but tell me a little bit about the low end of
12 this scale.

13 DR. BUCK: Okay, I was going to get
14 that and I didn't do a lit search on that. I will
15 tell you that horses tend to be more cold-tolerant
16 than we are. So their tolerant schedule is
17 shifted down from ours.

18 A concern that everyone has and the
19 City should have as well is human incidents, and I
20 will say that in cooler weather, in order to
21 maintain their body temperature, horses become
22 more active, they get a little frisky. I think
23 you should concern yourself a little bit about
24 horses being a little more inclined to become
25 frisky and get accidents at the colder

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2 temperatures.

3 There was discussion here earlier about
4 perhaps doing away with the wind chill, and there
5 was some information on the news that they are
6 going to change the wind chill factor structure.
7 So I think I would agree, perhaps, with just going
8 with the straight temperature scale.

9 The other thing, though, about
10 temperature is that it also depends on it not
11 being severely windy and it not being damp or wet.
12 Horses can be blanketed in --

13 COUNCILMAN MARIANO: What temperature
14 do you think (unintelligible).

15 DR. BUCK: What's that?

16 COUNCILMAN MARIANO: What temperature
17 for the low end?

18 DR. BUCK: What temperature?

19 COUNCILMAN MARIANO: Straight, no
20 wind-chill effect.

21 DR. BUCK: 26 sounds a bit cold to me.
22 I would say 30 to 32.

23 COUNCILMAN MARIANO: That's wind chill,
24 though.

25 DR. BUCK: That's with wind chill. I

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2 would say a straight 30, 32 would be fine -- would
3 be okay, as long as the horses are in condition,
4 not underweight, and it's not wet out. Rain, snow
5 is going to impact on that really severely.

6 COUNCILMAN MARIANO: Councilman Rizzo
7 has a question for you.

8 COUNCILMAN RIZZO: Doctor, thanks for
9 coming today.

10 Is there anything that the carriage
11 trade industry could do on the hotter days while
12 the horses are in the staging area? Is it
13 realistic to give a horse a sponging-down, give
14 'em a little bucket of water over the head, a
15 little hosing? You know, is there anything that
16 they could do?

17 DR. BUCK: It's a large volume of water
18 is what they need and a total body soaking, and
19 that's not going to be good with the harness on.
20 You don't want to soak the horse and then have it
21 sitting under the harness. And, again, we're not
22 talking about a sponge bath; we're talking about a
23 hose and gallons and gallons of water. Dumping
24 water on the head absolutely would not be adequate
25 to cool them down.

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2 COUNCILMAN MARIANO: Thank you.

3 All right, any other questions here?

4 (No further questions.)

5 COUNCILMAN MARIANO: Thank you for your
6 help.

7 DR. BUCK: Okay. I don't know if you
8 want my research paper or not, but I've got it.

9 COUNCILMAN MARIANO: Thank you.
10 Anything you have, give us and we'll put it in the
11 record -- unless you want to keep going.

12 DR. BUCK: No, I think that's all I
13 have.

14 COUNCILMAN MARIANO: Okay.

15 MS. NELSON: Good afternoon -- or
16 evening.

17 COUNCILMAN MARIANO: Not yet.

18 MS. NELSON: My name is Tina Nelson.

19 I'm the Executive Director of the American
20 Anti-Vivisection Society. Thank you for the
21 opportunity to speak today on this important
22 issue, the care of carriage horses in the City of
23 Philadelphia.

24 As I said, I'm Tina Nelson, Executive
25 Director of AAVS, which is located in Jenkintown,

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2 PA. AAVS is an international nonprofit animal
3 protection organization, which was founded in
4 Philadelphia in 1883. We're the oldest animal
5 protection organization in the United States and
6 have a membership which spans the globe. Because
7 our national office is located in the Philadelphia
8 area, we have a large number of members in the
9 City and in the surrounding region. I am here to
10 represent our board of managers and members who
11 are very concerned about the care of carriage
12 horses.

13 Although AAVS would like to see the
14 City Council ban the carriage-horse industry from
15 the City of Philadelphia, I appreciate the fact
16 that Council is willing to revise the existing
17 ordinance to bring Philadelphia's care of carriage
18 horses up to the standard of many cities and make
19 conditions for these animals more humane. I
20 respectfully request the following revisions be
21 made to the horse carriage ordinance:

22 Horses must not be worked when
23 temperatures are above 89 degrees Fahrenheit or
24 below 32 degrees Fahrenheit.

25 Blankets must be provided for horses at

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2 32 degrees Fahrenheit.

3 Horses must not be in harness for more
4 than 8 hours in one day.

5 Stables must be inspected at least
6 every six months by a licensed large-animal
7 veterinarian.

8 No carriage is to be operated before
9 9:30 a.m. and between 4 p.m. to 6 p.m. due to the
10 stress on horses in heavy traffic, as well as
11 safety issues.

12 Improved enforcement by the City of the
13 ordinance and regulations and more severe
14 penalties for noncompliance.

15 In closing, I would like to thank City
16 Council and all agencies involved for closing the
17 stables that were in poor conditions and where
18 horses have not received humane treatment. As we
19 all know, the care and respect we show for animals
20 is a direct reflection about our society and how
21 we treat others. I urge City Council to make
22 these revisions for the horses and provide strict
23 enforcement of the regulations so we can set an
24 example for those who visit this wonderful city.

25 Thank you.

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2 COUNCILMAN MARIANO: Any questions for
3 this witness?

4 (No questions.)

5 COUNCILMAN MARIANO: Next.

6 MS. SPIVEK: Hello. I'm Roberta
7 Spivek. I'm the Chair of the Carriage Action
8 Alliance, a group of Philadelphia residents and
9 taxpayers concerned about the treatment of
10 Philadelphia's carriage horses.

11 I got involved in this when I moved to
12 Society Hill about five years ago, where I rent an
13 apartment. I don't own a car, so I ride the bus,
14 and when I wait for the bus almost every day at
15 Sixth and Spruce Street, I can't avoid seeing
16 these horses. So for me, it's become an issue. I
17 got involved with it because it's there every day
18 in my neighborhood.

19 I'd like to thank you for holding these
20 hearings today. I'm not an equine expert or
21 veterinarians but an ordinary citizen who has been
22 sickened by watching these horses forced to pull
23 heavily-loaded carriages through Philadelphia's
24 brutal summer heat and humidity, breathing in
25 SEPTA and car exhaust fumes for ten hours a day

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2 every day, all summer long. We support the
3 proposed changes to the ordinance, which would
4 bring Philadelphia more in compliance with the
5 Humane Society guidelines. I've attached to my
6 testimony a letter from Dr. Ellen Buck of the
7 Humane Society supporting those changes and also a
8 letter from Mayor Street supporting the Humane
9 Society guidelines.

10 In three areas, we would like to
11 propose changes to be stronger. First, in terms
12 of the proposed 90 degree maximum temperature, we
13 urge the committee to instead adopt the Humane
14 Society's recommended heat index of 150, which
15 takes humidity into account. Failing that, the
16 maximum temperature should be 89 degrees
17 Fahrenheit.

18 Second, the horses must be in harness
19 no more than nine hours a day.

20 Finally, we would like much more
21 stringent stable-inspection requirement than have
22 been proposed. Given the egregious violations
23 recently found in the stables of two of the
24 carriage companies and the failure of the SPCA and
25 the City to catch those violations, we feel that

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2 twice-yearly inspections are inadequate. Instead,
3 we call for monthly unannounced inspections so
4 that violations will not take six months to be
5 discovered.

6 I understand that the carriage owners
7 are concerned about the impact on their business.
8 I believe that impact would be minimal. Even if
9 it is not, operating a business in the City of
10 Philadelphia should not give anyone license to
11 operate in an inhumane or unsafe manner.
12 Restaurants could make more money if they didn't
13 have to follow strict health ordinances, builders
14 could build more quickly if they didn't have to
15 follow stringent worker-safety guidelines.

16 Profits in the carriage trade should
17 not come by squeezing the life blood out of these
18 animals. Animals are not just a source of cash;
19 they are sentient beings who feel pain and
20 suffering and who rely on us to protect them.

21 We recognize that a lot of work has
22 gone on in bringing us to this point, and we urge
23 City Council to hire Dr. Ellen Buck equine
24 veterinarian Dr. Holly Cheever or another carriage
25 horse equine expert to help work out any changes

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2 to the final ordinance so that it can be
3 introduced to Council immediately.

4 These changes should and must be
5 adopted by the beginning of this summer. With
6 Philadelphia in the national spotlight during the
7 Republican Convention, City Council has a clear
8 choice to continue to allow Philadelphia to
9 operate its carriage trade under the worst humane
10 conditions in the nation under the eyes of the
11 national press and in the face of likely protests
12 and tourist leafletting by animal-rights groups,
13 or to make our trade a model for the nation, as
14 Randall Hirschhorn of the Department of
15 Environmental Services has urged. I believe the
16 choice is clear.

17 Thank you.

18 COUNCILMAN DICICCO: Thank you. Thank
19 you for your testimony.

20 Please state your -- identify yourself
21 for the record.

22 MR. CANTOR: Hello. I'm David Cantor.
23 I'm the East Coast Field Representative of the
24 Animal Protection Institute.

25 Thank you for the opportunity to

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2 mention concerns about the use of horses to pull
3 carriages in Philadelphia. The Animal Protection
4 Institute has about 500 members in Philadelphia
5 and thousands throughout the area.

6 I'm the East Coast Field
7 Representative, and I've been researching
8 animal-related issues for about 11 years, since I
9 started working full-time for national animal
10 Advocacy organizations in 1989. I learned about
11 the horse carriage industry several years ago when
12 I took part in the effort to ban carriage horses
13 from Washington, DC. Strong public support for
14 the ban showed that many people had learned of the
15 suffering of horses used to pull carriages, that
16 horses do not belong in automobile traffic, and
17 that a carriage ride in today's cities reveals
18 nothing about history.

19 A haunting image that I hope does not
20 occur in Philadelphia or anywhere else, but is
21 probably just a matter of time, was in a
22 photograph taken in New York City. A horse lay
23 helpless on a city street after being hit by a
24 car. With part of his intestines lying outside of
25 his body, he was still alive and conscious, his

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2 one visible eye wide open and bulging out of his
3 head in pain and terror.

4 As long as horse carriages are
5 permitted in Philadelphia, API supports the
6 strictest possible regulations. The proposed
7 amendments to the Philadelphia Code that the
8 committee is kind enough to consider here today
9 will make significant improvements to the
10 well-being of the horses, help prevent the worst
11 suffering, and improve public safety.

12 Prohibiting the use of horse carriage
13 before 9 a.m. and between 4 o'clock and 6 o'clock
14 p.m. Would diminish risk and stress on horses due
15 to heavy traffic and help prevent terrible
16 accidents. Anyone who seeks to ride on a
17 horse-drawn carriage on city streets can do so at
18 other times, and one hopes will not blame the City
19 Council for depriving them of rush-hour carriage
20 rides.

21 Like other animals, horses are very
22 much affected by extreme temperatures. In summer,
23 asphalt temperatures can become 50 degrees or more
24 hotter than the air. Human beings sitting in the
25 shade are going from one air-conditioned building

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2 to another, walking on less heat-absorbent
3 concrete may not appreciate the plight of horses
4 kept on the street all day. API would like to see
5 the maximum temperature for horses pulling
6 carriages lowered as much as possible.

7 Eighty-nine degrees Fahrenheit, as has been
8 proposed, would be a step in the right direction.

9 The industry's wish to use horses as
10 much time as possible should not be given higher
11 priority than the physical health needs of horses
12 who cannot tell the carriage drives or passersby
13 how miserable they feel and will work till they
14 drop if forced to, as has in fact happened.

15 As you can see in the letter you
16 received from API's veterinarian, Jean Hofve, we
17 do not want horses to be in harness or at work for
18 more than 8 hours a day. A limit of 9 hours in
19 harness would be a great improvement over 12 in
20 harness, including time to and from work, with 10
21 horses at work. Imagine how you would feel if you
22 were forced to perform a strenuous physical task
23 in hot weather while breathing in huge amounts of
24 car exhaust, with long interludes standing still
25 on hot streets, wearing oppressive and irritating

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2 equipment. Surely you would be very glad for a
3 10 percent reduction in your work day and a
4 25 percent reduction of time in cumbersome gear.

5 Frequent inspections are a must for
6 horses' living conditions and health, as indicated
7 by the recent unfortunate revelations of appalling
8 conditions at a Philadelphia stable. Two
9 inspections per year will help prevent neglect
10 from taking as terrible a toll on the animals as
11 would occur with no strict inspection regiment.
12 Inspections should be unannounced and should not
13 become predictable to stable managers.

14 Animal industries typically claim to
15 give animals excellent care without regulation
16 because, they say, profits are higher when animals
17 are well-cared for. Time after time, in industry
18 after industry, this is proven false. Abuse and
19 neglect go far beyond cutting corners in animal
20 industries. As was recently demonstrated in
21 Philadelphia, that can easily happen in the
22 carriage industry too. The same is true for human
23 safety. Carriage passengers lack protection in
24 the event of accidents. The requested improvement
25 carriage regulations will help protect human

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2 beings as well as horses.

3 Please write the proposed amendments
4 into law. The horses, API members, and countless
5 other people will appreciate your thoughtfulness
6 as it is well established that animals, including
7 horses, are thinking, feeling beings, and
8 exploiting them produces an enormous burden of
9 responsibility to ensure their well-being and
10 their enjoyment of their short but valuable lives.

11 Thank you very much for considering my
12 comments, and I'll be glad to answer any questions
13 you may have.

14 COUNCILMAN MARIANO: Any questions for
15 this witness from the committee?

16 (No questions.)

17 COUNCILMAN MARIANO: Seeing none, let's
18 go to the next panel. Leslie, did you want to
19 testify? I called you before.

20 MS. FLEISHER: There weren't enough
21 chairs.

22 COUNCILMAN MARIANO: We would have put
23 one.

24 (Witness comes forward.)

25 COUNCILMAN MARIANO: State your name.

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2 MS. FLEISHER: Leslie Fleisher, and I'm
3 on the Mayor's Animal Advisory Committee.

4 COUNCILMAN MARIANO: You're on that
5 too, you're on that too?

6 MS. FLEISHER: Just to clarify,
7 Councilman Mariano, I served in two
8 administrations, I didn't know either mayor but
9 still got on the committee.

10 COUNCILMAN MARIANO: Okay. Listen, I
11 didn't know Councilman Ortiz was on it and he sits
12 across the hall from me.

13 MS. FLEISHER: We always have a
14 Councilperson.

15 COUNCILMAN MARIANO: But thank you for
16 that information.

17 MS. FLEISHER: I'm also on the
18 Philadelphia and Pennsylvania State Representative
19 for the Animal Legal Defense Fund, and from that
20 perspective, all I want to add is that we echo
21 what's going on here, but we're handling it more
22 on a national level.

23 You've had excellent testimony here
24 today. You've gotten a lot of information, and
25 all I want to Council keep in mind is, when you go

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2 back to deliberate, you have a lot of interests to
3 balance -- not only community interests, not only
4 the humane aspect, but you're looking at business
5 owners, and you have the onerous job of making
6 everybody happy. And Councilman DiCicco as
7 already said that's not going to happen, but I am
8 confident that you're going to go back and do your
9 best --

10 COUNCILMAN MARIANO: He's being modest.

11 MS. FLEISHER: -- to support all the
12 interests. So I hope you have get a good result.

13 I really don't have anything else to
14 add.

15 COUNCILMAN MARIANO: Thank you less.

16 MS. FLEISHER: Thank you.

17 COUNCILMAN MARIANO: Any questions for
18 this witness?

19 (No questions.)

20 COUNCILMAN MARIANO: Seeing none, we'll
21 get another group up here. John Roblonski, Edward
22 M. Goldsmith, Michael Slocum.

23 Did Violet testify? How anybody that
24 hasn't testified? Mike, come on.

25 (Witnesses come forward.)

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2 MS. HOMER: My name is Laura Homer. I
3 do the testing of the drivers since the onset of
4 the program, and I've been testing most of the
5 drivers that are presently driving in the City of
6 Philadelphia.

7 COUNCILMAN MARIANO: You test them?

8 MS. HOMER: Yes. All drivers are
9 tested and they're licensed.

10 COUNCILMAN MARIANO: Now, help me here,
11 I'm not trying to be funny, but do you test them
12 for drugs?

13 MS. HOMER: No.

14 COUNCILMAN MARIANO: Do you test them
15 for horsemanship?

16 MS. HOMER: They do several things.
17 First, they're tested on their ability to take
18 care of the horse, harness the horse, and put 'em
19 to the carriage. Then they're tested on their
20 driving ability, they're asked several questions.
21 It's a form given by the City. And then they get
22 a temporary license, and later on, the City sends
23 them a permanent license.

24 COUNCILMAN MARIANO: Who do you work
25 for?

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2 MS. HOMER: Pardon me?

3 COUNCILMAN MARIANO: What agency do you
4 work for?

5 MS. HOMER: I don't work for any
6 agency. I work for Mr. Hirschhorn.

7 COUNCILMAN MARIANO: Oh, okay.

8 MS. HOMER: And I've been -- myself,
9 I've been driving probably longer than anyone in
10 this room, I've been driving for 52 years and I've
11 had carriages ever since -- not commercial
12 carriages, I do private -- I mean, I just have my
13 own carriages. And I've also been a judge for the
14 last 25 years. I judge carriages all over the
15 country and give clinics, and so I'm very familiar
16 with the driving industry.

17 First of all, I have to disagree with
18 some of these comments that were made today
19 because these are draft animals, or draft-type
20 animal, that are used for this. They're bred to
21 work. I mean, this is what they're bred for.
22 They only walk; they don't do anything else. They
23 walk and stand, and that is not strenuous on any
24 horses. I mean, if you see other horse in other
25 horse industries, they work hard. I don't care if

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2 it's for two minutes. A race horse only goes two
3 minutes, but they work hard those two minutes and
4 that's far harder than these horses standing in
5 harness all day.

6 Another thing --

7 COUNCILMAN MARIANO: Are you saying
8 these horses are bred to do this?

9 MS. HOMER: Yes, definitely.

10 COUNCILMAN MARIANO: I mean, these
11 aren't like race horses at the end of their
12 careers?

13 MS. HOMER: Oh, definitely not. These
14 are called "workhorses," and workhorses bred to
15 work. I mean, that's there only purpose.

16 COUNCILMAN MARIANO: I'm embarrassed to
17 say I've probably have been on or near a horse
18 except for the ones I ride by, so these are the
19 big horses.

20 MS. HOMER: Yes, big horses. Riding or
21 driving a carriage horse -- you know, a carriage
22 horse, not the ones that work in the City, are
23 much smaller-built horses. They're all breeds,
24 but they are smaller-built than these horses that
25 work in the cities. They're huge horses, and a

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2 huge horse like that will sweat more standing in
3 the stable than they will standing on the street.
4 If you see them on the street, you know, while
5 they're waiting for a ride, they're not sweating,
6 there's no sweat there. And they're given all the
7 water they want, there's no problem.

8 When they're in the stables, you'll see
9 them -- a horse sweats like a person, you know,
10 they perspire -- not like a dog where they pant.

11 COUNCILMAN MARIANO: Well some of us
12 Councilpeople don't sweat. I won't tell you which
13 ones.

14 (Laughter.)

15 COUNCILMAN MARIANO: But if you look up
16 here, you'll see who's not sweating.

17 MS. HOMER: Right. Let me see what
18 else I have.

19 You can't compare them with other
20 breeds of horses for sure.

21 COUNCILMAN MARIANO: That's
22 interesting.

23 MS. HOMER: They also get time off
24 every week, they have a day or two off every week,
25 and then they're given usually two months out of

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2 the year where they're turned out to pasture to re
3 -- just to have a good time. So they're not
4 working 365 days a year, like some people think.

5 And also, these carriages that they
6 pull, they're on ball bearings and they pull --
7 you can -- I can pull them, I have no trouble
8 pulling 'em. And they're all on ball bearings and
9 they pull very, very easily.

10 COUNCILMAN MARIANO: I wouldn't want to
11 pull them.

12 MS. HOMER: Oh, really? Well, we pull
13 them to put -- turn them around, bring 'em in,
14 bring 'em out. And, really, there is no weight to
15 them. And they all have a full fifth wheel, which
16 means they can spin around on a dime. I mean,
17 there's a -- they have a wonderful turning basis.

18 And all the streets are basically flat,
19 and so it's much easier for a horse to pull a
20 carriage on a street than it is on dirt. Dirt is
21 deep and it digs in, the wheels dig in and it's
22 twice as hard pulling. I mean, I do both and,
23 believe me, the street driving is a lot easier.

24 COUNCILMAN MARIANO: Just a little
25 piece of information -- bear with me. You don't

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2 work for any City areas?

3 MS. HOMER: No.

4 COUNCILMAN MARIANO: Or do you work for
5 Mr. Hirschhorn?

6 MS. HOMER: No.

7 COUNCILMAN MARIANO: Do you -- did you
8 say you work for --

9 MS. HOMER: I don't -- no, he sends me
10 the forms.

11 COUNCILMAN MARIANO: Oh. But do you
12 work for one of these private concerns?

13 MS. HOMER: I go to --

14 COUNCILMAN MARIANO: Do you work for
15 these guys?

16 MS. HOMER: I go to 76, I go to
17 Philadelphia, I go to the --

18 COUNCILMAN MARIANO: But you just do
19 this -- you do this as a living or is this a
20 hobby?

21 MS. HOMER: I was appointed. This was
22 approved by the City of Philadelphia, I was
23 approved by the City of Philadelphia with my
24 credentials, when they first started this
25 licensing.

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2 COUNCILMAN MARIANO: Are you
3 compensated by anybody?

4 MS. HOMER: The carriage companies give
5 me --

6 COUNCILMAN MARIANO: I don't need to
7 know how, just --

8 MS. HOMER: No, it's not by the City;
9 by the carriage companies.

10 COUNCILMAN MARIANO: Randy, do you want
11 to --

12 MS. HOMER: Pardon me?

13 COUNCILMAN MARIANO: Mr. Hirschhorn,
14 would you please enlighten us here? 'cause I'm
15 having a problem trying to figure this out.

16 (Mr. Hirschhorn returns to witness
17 table.)

18 MS. HOMER: Hi, nice to meet you. I've
19 never met him before.

20 COUNCILMAN MARIANO: You had me until
21 you told me you were going to pull that carriage
22 around because I can't see myself --

23 MS. HOMER: Really?

24 COUNCILMAN MARIANO: I'm not pulling
25 any carriages .

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2 MR. HIRSCHHORN: Again, for the record,
3 Randall Hirschhorn, Director of Environmental
4 Health Services.

5 There is a requirement in the current
6 regulations that horse-carriage operators must
7 demonstrate proficiency in tacking the horse,
8 driving the horse, and in common safety
9 procedures.

10 COUNCILMAN MARIANO: It's like a
11 motorcycle license.

12 MR. HIRSCHHORN: And since we have no
13 one in City service, we had asked the Police
14 Department Mounted Unit if they would be the
15 examiners, and they said that because they ride
16 horses, they don't have a proficiency, though, in
17 carriage-horse operations.

18 So we went to independent people and
19 got their credentials, showed it to the horse
20 advisory person on the Animal Advisory Committee
21 to make sure that she felt that they were adequate
22 in terms of their credentials. We provided the
23 names of the individuals to the carriage companies
24 so that they could employ them to test their
25 drivers, and we provide the forms.

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2 COUNCILMAN MARIANO: So there's more
3 than one. If I own a carriage company, I can call
4 her or a couple of other people?

5 MR. HIRSCHHORN: Yes. The City would
6 not just recommend one person.

7 COUNCILMAN MARIANO: Right, right.

8 MR. HIRSCHHORN: Also, I beg to differ,
9 but the Health Department has experience with all
10 the carriage companies, not just several. And I
11 can tell you that horses are not turned out by all
12 the companies. I wish they were, I wish they
13 would follow the example that's set by Mr. Slocum,
14 but they do not. And these horses are not rested
15 weekly, they are not rested and turned out to
16 pasture.

17 So some owner are conscientious and do
18 that, and others don't even file their teeth or
19 change their horse shoes.

20 COUNCILMAN MARIANO: I summed it up but
21 everybody didn't like the word I used. There was
22 -- what did I say? and I don't have to say it
23 again -- the good guy, the middle, and the
24 derogatory statement I used for the last two, but
25 Mark McDonald's writing an article about it 'cause

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2 I used that word.

3 MS. HOMER: I believe I was referring
4 to the two top stables that we're talking about,
5 yes.

6 COUNCILMAN MARIANO: Oh, yeah, the good
7 guys.

8 MS. HOMER: The two goodies.

9 COUNCILMAN MARIANO: Okay, thank you.
10 Any questions?

11 COUNCILMAN RIZZO: How do you know --
12 how do you qualify that statement that you just
13 made that you know that these horses -- are you --
14 how do you monitor that? You made a very positive
15 statement that these horses, just by -- because
16 they're thin, because of their appearance, or are
17 you just speculating that they're not turned out?

18 MR. HIRSCHHORN: No, we're not
19 speculating. We've talked to their drivers, the
20 City has investigators who have also talked to
21 some of the drivers and we've asked them to
22 produce records.

23 COUNCILMAN RIZZO: Whoever keeps
24 records of when you turn a horse out to pasture?

25 MR. HIRSCHHORN: Well, they have to

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2 take it to a farm, they have to pay a fee for
3 that, and it's an accounting practice in a
4 business that if you're going to pay a fee, it's
5 part of your business, that you pay those
6 receipts.

7 Now, the good companies have no trouble
8 verifying. The other companies, if they claim
9 that they do this, their drivers say that the
10 horses are never out of the City and they can't
11 produce any proof to show, then it has to be our
12 conclusion that those horses are not turned out.

13 COUNCILMAN RIZZO: I don't mean to be
14 argumentive (sic), but do you think a cab driver
15 knows if the oil's been changed in the cab?

16 COUNCILMAN MARIANO: He should.

17 MR. HIRSCHHORN: If owns that cab, he's
18 fully --

19 COUNCILMAN RIZZO: Not if he owns it,
20 if he's driving it.

21 Mr. Slocum, Councilman DiCicco's
22 suggesting -- I just don't want a statement to be
23 made here that suggests that other operators don't
24 do -- maybe they don't, but we have no way to
25 qualify that statement. How do you do it?

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2 MR. SLOCUM: We, in fact, send our
3 horses probably a good solid two months out of the
4 year, and in some horses, it may be as much as
5 four months out of the year, go to a turnout. We
6 have an 18-acre farm that we do not own. However,
7 we work with the individuals who own the farm, the
8 horses are turned out. Certain horses go out over
9 summer months, certain horses are turned out over
10 the fall-winter season. In fact, the majority of
11 our horses are turned out over the winter months.
12 When the business subsides for the winter season,
13 we turn them out.

14 I can obviously document that through
15 the owners of the farm, the facility, through paid
16 documents on work bills. We pay a fee per day per
17 horse to have these horses turned out in Lancaster
18 County.

19 COUNCILMAN RIZZO: Well, in the
20 wintertime, it's the most -- is not the most
21 desirable time to turn a horse out.

22 MR. SLOCUM: Why would that be?

23 COUNCILMAN RIZZO: How about grass?

24 MR. SLOCUM: They don't need grass.

25 What they do is, they feed them hey, they

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2 supplement them with hay, and they're turned out
3 on the farm. In fact. That's the best time for
4 these horses to be turned out. They get to move
5 around, they get more exercise and activity.

6 And prior to -- despite any beliefs, I
7 believe that the best conditions for these horses
8 is to be out in the elements and be out -- we have
9 a section of our stable, which is actually like a
10 lean-to shed, and that is the optimal conditions
11 for us, where they are constantly in the
12 atmospheric environment, whether it be with the
13 temperature, humidity, the heat, the cold,
14 whatever, so that they don't experience the
15 extremes, which, I think, humans misinterpret.

16 As we sit in this controlled
17 environment here and we go to walk out on a
18 94-degree day and hit the street, it appears to us
19 to be very hot, but someone like myself, who tends
20 to work outside and enjoys outdoor activities, I
21 could work outside at 94 or 100 degrees all day
22 long. In fact, I thrive on that; I prefer not to
23 do it in the cold.

24 COUNCILMAN RIZZO: Well, obviously, if
25 that's what you do, that's why today you've been

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2 recognized as being one of the better or the best
3 operator in the carriage-horse industry, so that's
4 very commendable that you do that.

5 MR. SLOCUM: Well, I appreciate that,
6 and I wish that everyone would do this,
7 obviously. However, what I feel strongly about is
8 that there has to be a stable management program,
9 which addresses all of these issues. And when we
10 do that, or if we can do that, and address the
11 everyday care of the animal, not just 15 days when
12 it's 94 degrees, but 365 days a year, you know,
13 24/7, that's what will improve the overly quality
14 of way that horse looks and what that horse can do
15 when he's out on the street.

16 COUNCILMAN MARIANO: Thank you.

17 Any more questions?

18 (No further questions.)

19 COUNCILMAN MARIANO: Okay. Josh, you
20 want to testify? Michael, you want to testify?

21 MR. SLOCUM: Thank you. My name is
22 Michael Slocum. I'm the President of 76 Carriage
23 Company.

24 And all I want to say is that I've been
25 in and around business, the horse-drawn carriage

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2 industry, since 1975, going on some 24 years. Our
3 reputation for sound business practices and
4 operating standards are nationally known
5 throughout the industry. And I want to, I guess,
6 spare you all of the introduction that I have.

7 I would like to address certain issues,
8 specific issues of the legislation, which I feel
9 need to be amended or remain the same.

10 On the issues of the hours that the
11 horse currently operate, it is proposed that
12 carriages will be banned operated from 7 to 9:30
13 a.m. What we propose is that the carriages are
14 banned from operating on City streets between the
15 hours of 7 and 9 a.m., except with the issuing of
16 a permit, which may be obtained from the
17 Department of Streets, with five days' prior
18 notice.

19 We also propose that the ban on
20 carriages between 3:30 and 6 p.m. be made to read
21 that "carriages between the hours of 4 and 6 p.m.
22 must adhere to approved carriage routes only and
23 may not deviate from those routes, except under
24 such permit granted by the Department of
25 Streets." This would curtail all carriage

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2 activities within a certain restricted area and
3 not greatly prohibit the revenue, the
4 inconvenience to tourists or the inconvenience to
5 the employees who are trying to make a living by
6 doing this type of business.

7 The proposed 9 o'clock -- 9 p.m. we
8 suggest be 12 midnight. Again, for us to employ
9 people and to survive in this industry, to obtain
10 such drastic cutbacks on our operational hours
11 would cause us substantial decreases in revenue.
12 We would not be able to obtain employees to work
13 between the hours of 9:30 and 3 o'clock in the
14 afternoon, which is not a significant amount of
15 time to be able to pay someone for a period or
16 generate enough revenue for that; and, certainly,
17 we cannot ask them to stay around until 6 p.m. to
18 go back out on the street and only work until 9
19 p.m.

20 We also employ people who work for us
21 in the evening hours, and a lot of times, these
22 carriages go out at 6 p.m. in the evening and will
23 work until midnight to satisfy the demands of the
24 casual tourist, leisure tourist, local
25 Philadelphians, as well as prearranged groups and

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2 bookings.

3 We propose that these be year-round
4 ordinances, with no exceptions based on the time
5 of year, month, day, except for Saturday and
6 Sunday. We ask that there be no regulations or
7 restrictions on Saturday and Sunday. We
8 understand that there are traffic issues and real
9 issues that are at the heart of this regulation;
10 however, Saturdays and Sundays we feel we should
11 be exempt from such regulations and restrictions,
12 and they are peak operating days for this industry
13 to provide such a service for the visitorship,
14 ridership, and the tours industry.

15 COUNCILMAN DICICCO: Are you including
16 holidays, also?

17 MR. SLOCUM: Yes.

18 As far the Department of Health and --
19 the Public Department of Health and the Streets
20 Department to provide a waste-management program,
21 we certainly agree with this system. I understand
22 that there's a real need and concerns about the
23 issues on the streets. However, we hope that we
24 could be involved in drafting this system that we
25 can implement, as well as our concerns are

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2 addressed as far as the cost of these issues go.

3 I certainly would not like to have a system in
4 place that would be so monetarily heavily imposed
5 upon us that it would make it not conducive for us
6 to operate.

7 By the way, the National Park Service
8 did regulate us at one point, and we were
9 obligated to clean the carriage stands designated
10 on Chestnut Street, and it was on a rotation basis
11 then, where each company had a month that they had
12 to clean the streets. Since the carriages have
13 been moved or relocated from Chestnut to Fifth and
14 Sixth Streets, the National Park Service has been
15 more lenient with our permit applications and the
16 requirements under that permit. They have
17 instituted \$10,000-1-year annual assessment fee
18 per -- divided among the carriage companies.
19 However, there is nothing in those current permit
20 requirements that suggest or require us to clean
21 up the environment around which we work, including
22 those stands.

23 I do want to state for the record that
24 we currently do that. I employ someone every day
25 to clean that area and make sure that that area of

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2 the carriage stands are cleaned and sanitary.

3 COUNCILMAN DICICCO: And when you say
4 "we," you're referring to your company.

5 MR. SLOCUM: That's correct.

6 COUNCILMAN DICICCO: Do you know of any
7 other companies that are doing that?

8 MR. SLOCUM: Currently, I do not.

9 COUNCILMAN DICICCO: Thank you.

10 MR. SLOCUM: The Department of Public
11 Health shall devise a system, a point system, for
12 the suspension of carriage licenses. This is not
13 a system that's new for us. Under the National
14 Park regulations, prior to last fall, when we were
15 moved off Chestnut Street, the National Park
16 Service issued us a permit which had many
17 regulations or many -- many stipulations that we
18 must abide by in order to operate around the
19 National Park area, and it was all based on a
20 point system.

21 So if the enforcement rangers came to
22 the Independence National Park area and they
23 observed the carriage driver doing something that
24 was in clear violation of the point system, we
25 were in fact issued a number of points for that.

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2 It was done in writing, and there was an appeal
3 process. If the carriage company were to
4 accumulate so many points within a one-year
5 period, they would face suspension, and I
6 certainly am not opposed to that. I do believe
7 that this is one way to ensure that the operators
8 as well as the drivers understand need the for
9 such regulations and how serious they are.

10 So I hope that the carriage operators
11 will have a voice or at least some input. Perhaps
12 maybe you should have the National Park Services
13 guidelines or its point system codes and we can
14 mimic some of them, but that, we already have or
15 had copies of, and I'd be willing to supply that
16 as well.

17 In regard to the identification numbers
18 displayed on the horses, I'm certainly not opposed
19 to an ID which will be affixed to the horse. It
20 is my hope that we could affix a tag which would
21 be similar to a dog tag. It would be permanently
22 affixed to the horse's halter or bridle, which
23 would have an identification number.
24 Corresponding to that number at the stable would
25 be a file with a photo of the horse and all

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2 pertinent documentation. And that's how I propose
3 that we the identification number.

4 Now let me get to the temperature.

5 Twenty-four years of history in the City of
6 Philadelphia I think is our best case study that
7 we have for the temperature and the current
8 conditions -- the scientific conditions under
9 which these horses operate. We are talking about
10 large draft horses and draft crossbred horses,
11 which walk around the Independence National Park
12 area. They pull carriages, which would amount to
13 nothing more than a toy to you or I.

14 In fact, it is very true that just
15 about every one on this panel could probably pull
16 a carriage fully loaded with people around the
17 20-minute tour without much problem -- and that's
18 fully loaded. Okay, they're on roller bearings,
19 and there's very, very, very light traction that's
20 needed. Probably the most exerted is when they
21 first start, but once the carriage is rolling,
22 there is minimal pressure needed or energy exerted
23 to move that carriage move.

24 There has never been, despite what we
25 have heard here today, any instance that I am

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2 aware of in 24 years for our company or any other
3 company in which a horse has suffered a heat-
4 related or illness or stress or even death
5 associated with temperature here in the City of
6 Philadelphia.

7 I ask that the temperature of 94
8 degrees remain the same since we have no
9 scientific documentation which directly relates to
10 the carriage-horse industry here in Philadelphia
11 to prove otherwise.

12 I also ask that we use the KYW clock as
13 a reference for the temperature. It is on the
14 mall. I cannot attest to its accuracy. However,
15 I have heard that we use the temperatures at the
16 airport, but we are not working at the airport, we
17 are working around the mall. It's an easy,
18 visible identification and a way for us to control
19 and monitor the temperature.

20 We don't need the Health Department or
21 SPCA, and I'm sure that they would back us on
22 this. We essentially do not need them to come out
23 and tell us when it's 94 degrees. We haven't in
24 the past. The industry has, when the temperature
25 has reached 94 degrees and above, taken it upon

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2 ourselves to send these carriages home and remove
3 the horses from the street. We will continue to
4 do that. We're certainly not opposed to them
5 coming down to reinforce that. However, that has
6 been a good gauge for to us use and an accessible
7 measure by which we can send them home and monitor
8 what is happening on the mall around which these
9 horses are operating.

10 As far as the workday goes for the
11 horse, currently, it is ten hours. Again, in my
12 professional opinion in working with these animals
13 in this industry, there is no need for that to be
14 any lower. I would propose that we reword the
15 language to say "ten hours in harness," which
16 would essentially limit a horse's work day to 9
17 hours and allow us the 30 minutes travel time back
18 and forth.

19 Again, with no scientific studies and
20 no documentation of any instances here in
21 Philadelphia which relate to that being excessive,
22 I ask that that not be altered and that it remain
23 at ten hours per day that we simply have in
24 harness.

25 Incidentally, in the legislation, it

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2 states that riding horses -- I believe it states
3 that riding horses. . . I'm sorry. All I wanted
4 to say was that it is more physically taxing on a
5 horse to be ridden than it is to pull a carriage.

6 As far as the limitations to the
7 routing, I understand that we are deleting, or
8 proposed to delete, Third Street from Pine Street
9 to Walnut Street. And I ask that with proper
10 cleaning and policing of the area and working with
11 the City and implementing a waste-management
12 program, I believe that will address the issues of
13 the concerned residences and issues relating to
14 that stretch of Third Street, and I ask that it
15 not be deleted from our approved carriage routes.

16 I believe that the leading
17 (unintelligible) block of Third Street, or that
18 stretch of Third Street, would do a great
19 injustice to the Society Hill area, the historical
20 landmarks that are certainly an asset and which we
21 point out on carriage routes. Again, I feel that
22 if we address the issues of the residents in that
23 stretch of Third Street, which are mainly
24 sanitation, and we do that through regulations and
25 implement a plan, I believe we should be able to

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2 continue to utilize that stretch.

3 COUNCILMAN MARIANO: Mr. Slocum, not to
4 interrupt you, and I know I'm going to be sorry I
5 said this, but could we actually come down and do
6 that, try to pull a carriage by ourselves?

7 MR. SLOCUM: Absolutely.

8 COUNCILMAN MARIANO: Would you set that
9 up for us?

10 MR. SLOCUM: Absolutely.

11 COUNCILMAN MARIANO: And if I can't do
12 it, I'll get one of my bigger staffers to do it.

13 MR. SLOCUM: You're big enough.

14 COUNCILMAN MARIANO: Mr. Schrager, Mr.
15 Schrager, stand up.

16 MR. SLOCUM: You're big enough.

17 COUNCILMAN MARIANO: Could Mr. Schrager
18 do it? He's an attorney so he's --

19 MR. SLOCUM: He could do it too.

20 COUNCILMAN MARIANO: I'm serious, I
21 think --

22 MR. SLOCUM: Absolutely.

23 COUNCILMAN MARIANO: 'Cause when she
24 said that -- when the other -- when the other lady
25 said that, I went, "No way."

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2 MR. SLOCUM: In fact --

3 COUNCILMAN MARIANO: Is she still
4 here? But if you're saying on the record, it
5 intrigues me 'cause --

6 MR. SLOCUM: It's on the record, yeah.
7 And you can do that. In fact, I'm --

8 COUNCILMAN MARIANO: Loaded with
9 people? Could we load it with people?

10 MR. SLOCUM: Yeah, absolutely.

11 COUNCILMAN MARIANO: Like if Councilman
12 Rizzo pulled it, could Councilwoman Blondell
13 Reynolds and DiCicco and me --

14 MR. SLOCUM: And I'll -- you know what,
15 if you all want to jump in there, the five of you,
16 I'll pull the carriage around the block.

17 (Applause.)

18 COUNCILMAN MARIANO: I'm up for it.

19 MR. SLOCUM: Anytime. In fact, I would
20 encourage every single person who has a vote and a
21 say in this to come to our facility and see
22 exactly what we do and how we do it, how an
23 operation can be done.

24 COUNCILMAN DICICCO: Mr. Slocum, I
25 think I may have said this four or five, maybe six

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2 times today: If they all operated in the manner
3 that you did, we probably wouldn't be here today
4 except for temperature issues. And I'm not
5 patronizing you and not because you've been a
6 supporter of mine -- before someone suggests I'm
7 promoting you. The fact of the matter is, you do
8 run a very good operation.

9 With the Chair's permission, I have a
10 question.

11 COUNCILMAN MARIANO: Yeah, go ahead.

12 COUNCILMAN DICICCO: Do you happen to
13 know what percentage of business is conducted --
14 by your company, anyway -- after the hour of
15 9 p.m.? And if you don't know the number, okay.
16 I mean, I just was curious.

17 MR. SLOCUM: I can give you that.

18 COUNCILMAN DICICCO: And, you know,
19 some of the things that are in this bill were
20 basically arbitrary numbers based on what I was
21 getting from a various group of people, and that,
22 as we've heard in testimony today, the numbers
23 have been changing all over the place, even by the
24 experts in whatever field -- the doctor who
25 testified about, I think it was in Cleveland

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2 where, I guess, they get the horses off at 85
3 degrees, suggested that the low temperature should
4 be 30 degrees straight, flat, 30, but most other
5 people who testified think it should be 32. So,
6 you know, again, we're all over the place again.

7 And, anyway, could you answer that
8 question? And if not we'll move to another
9 question.

10 MR. SLOCUM: Yes, I can. But if I may,
11 because I overlooked one point --

12 COUNCILMAN DICICCO: Okay.

13 MR. SLOCUM: As far as the temperature
14 goes, now that you've brought it up, on the
15 downside of the temperature, we are proposing a
16 20-degree wind chill. We would like to see the 26
17 amended to 20.

18 And, again, I think that you stated,
19 and I want to state for the record, that you are
20 not doing a horse any justice by blanketing that
21 horse in those low temperatures. Essentially what
22 you had described earlier will happen, and you're
23 actually doing the horse an injustice to provide a
24 blanket for him. And at temperatures of 20
25 degrees, you're still not jeopardizing that

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2 horse's welfare or well-being, especially in the
3 types of animals that are used.

4 COUNCILMAN DICICCO: Okay.

5 MR. SLOCUM: Now to get back to your
6 question, I don't know the exact percentage of
7 business that would be jeopardized after 9 p.m.
8 All I can say is that our night shift, which is a
9 substantial part of our business, generally leaves
10 the barn around 6 p.m., and we operate currently
11 until about the midnight hour -- we feel that
12 that's a safe cutoff time. We've never had any
13 instances or circumstances, problems, any
14 accidents.

15 There may be some traffic issues, and I
16 understand that there are some congestion problems
17 on Chestnut around Second Street, perhaps around
18 South Street. We certainly try to avoid those
19 areas.

20 But our evening is a great portion of
21 our business. We are there to provide walk-up
22 service as well many reservations, engagements,
23 pick up at restaurants, drop-off. It's a
24 tremendous part of our business. Hotel people, as
25 was stated earlier --

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2 COUNCILMAN DICICCO: And the
3 interesting thing is, when we're talking about the
4 evening hours, the evenings are generally cooler
5 than the daytime, but we have another problem in
6 the evening, and that has to do with traffic
7 conditions. And in the regs, you know, we're
8 talking about doing some flashing-light systems.

9 Again, I know that we're not going to
10 get this bill out of committee today. My
11 colleagues -- some of them are still around, and
12 we've talked about it. We will take under
13 consideration all of the testimony here today, and
14 at the call of the Chair, we'll do the public
15 meeting and vote the bill out with whatever
16 amendments, if the bill is to be amended, at that
17 time.

18 My other question has to do with the
19 photo ID file. You had suggested that a
20 photograph of the horse be taken and then we have
21 a permanent identification tag or badge or
22 whatever on the harness. Is anyone else doing
23 that now, do you know? Are we doing that?

24 MR. SLOCUM: Currently, we are not, I
25 don't believe that we're required to have an

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2 identification number on that horse, but that is
3 in these regulations -- in the proposed
4 legislation here.

5 And I propose that that is the way it
6 be done, that we have a similar item like a dog
7 tag, which will be permanently affixed to the
8 halter. Now, the halter or bridle,
9 understandably, can be removed. However, I feel
10 that if we do it in this manner and there ever is
11 an issue with a horse, whether it be working too
12 long or inhumane conditions, any official can go
13 up to that animal and take that identifying number
14 off of the tag, go back to that stable to check
15 the photograph, which would properly identify that
16 this number matches this horse, and all
17 documenting evidence and records and all
18 requirements be in the file with the horse.

19 COUNCILMAN DICICCO: I don't want to
20 open up another discussion, but are any of the
21 horses branded or tattooed in any way?

22 COUNCILMAN MARIANO: That's what I was
23 going to ask. I mean, you could switch those
24 things. Is there any way to say this is that
25 horse?

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2 MR. SLOCUM: Well --

3 COUNCILMAN DICICCO: And I appreciate
4 what you're saying, but I don't know if I want a
5 City employee, or whatever, to have to go back to
6 a stable just to compare the photograph to the
7 horse, although I do respect your offer for some
8 means of identification.

9 MR. SLOCUM: I certainly would not
10 recommend tattooing or branding of the horse.
11 However, there is a practice in place in New York
12 City where they actually brand the hoof. It's not
13 a permanent thing because the hoof does tend to
14 grow; it's a fingernail-type substance, so it will
15 grow out.

16 COUNCILMAN DICICCO: How often --
17 what's the general growth period?

18 MR. SLOCUM: I can't really say. That
19 depends on the management and the foot care that
20 you have and the use of supplements, whatever, so
21 it varies from horse to horse. However, I don't
22 feel that that's a very humane way to do it, and I
23 would prefer not to do it that way.

24 COUNCILMAN DICICCO: Again, I said I
25 didn't want to open up a whole new discussion; I

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2 just was curious about --

3 COUNCILMAN MARIANO: I was going to ask
4 that too. There's a lot of people here that know
5 a lot about horses. And the doctor, you seem to
6 know a lot. Do they identify horses somehow? I
7 mean, could I steal Councilman DiCicco's horse and
8 take it somewhere else? How would you know it's
9 mine? Could you come back up.

10 COUNCILMAN DICICCO: Doctor, I thought
11 you left. I was referring to you a few minutes
12 ago; I didn't see you back there.

13 (Dr. Buck returns to witness table.)

14 COUNCILMAN DICICCO: Please identify
15 yourself again for the record.

16 DR. BUCK: Dr. Ellen Buck.

17 There's a number of ways of identifying
18 horses. Tattooing is one way; it's usually done
19 on the soft tissue under the lip with race horses.
20 I'm not real familiar with the New York way of
21 doing it on the hoof. It takes about six months.

22 COUNCILMAN MARIANO: A tattoo? Is it a
23 problem.

24 COUNCILMAN DICICCO: Is it humane?

25 COUNCILMAN MARIANO: Is that a problem

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2 for the horse, or does it hurt? Is it humane?

3 DR. BUCK: It's not a humane issue, no.

4 COUNCILMAN MARIANO: No?

5 DR. BUCK: Hot branding is a humane
6 issue. Cold branding is considered more humane.
7 And then you have microchip identification like
8 they're doing with other animals -- lab animals,
9 dogs and cats, but that would not be real amenable
10 to --

11 COUNCILMAN MARIANO: Councilman Rizzo?

12 COUNCILMAN RIZZO: Doctor, the industry
13 just said that it is not humane to do the hoof.
14 Could you just comment on that? I don't know if
15 the hoof is an area that --

16 DR. BUCK: The surface of the hoof is
17 not -- no, it's not sensitive; it's horn tissue,
18 like a fingernail.

19 COUNCILMAN RIZZO: (Not totally
20 audible, off mike.) Okay, but if it was an area
21 on the horse's body to place an identification
22 number, the hoof would be a place to put it and
23 the horse wouldn't even know it's (inaudible).

24 DR. BUCK: If it were done properly,
25 no.

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2 COUNCILMAN DICICCO: But it may have to
3 be done more frequent during the life of the
4 horse, so I'm looking for something that's more
5 permanent but yet humane.

6 DR. BUCK: And I would say, we recently
7 worked with the City of Baltimore, doing a
8 consultation on their entire animal services, and
9 I got invited in that because they have carriage-
10 horse issues and another type of carriage
11 concession that's very unique to Baltimore, and
12 they've got a lot of issues down there.

13 They are doing a little bit more like
14 what you're talking about, where they have a horse
15 name, a horse identification, and a photographic
16 record kept at the stables. A lot of that depends
17 on the expertise of the individuals looking and
18 comparing. And I know, those of us who have
19 horses and know horses, we'll recognize them by
20 sight. But an investigator may not be real
21 familiar with horses may not even be able to match
22 up a photograph with the horse.

23 COUNCILMAN MARIANO: But the tattoo
24 seems -- I mean, I'm looking at something not to
25 hurt the horse, but that that seems like the easy

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2 way out. As a veterinarian, would you recommend
3 that? Is it humane?

4 DR. BUCK: Well, veterinarians would
5 not have the tattooing equipment. There is a
6 subset of people that work at the race track that
7 are responsible for the tattooing.

8 COUNCILMAN MARIANO: Slocum, would you
9 ever think of doing that to your horse? We're
10 just asking questions here.

11 MR. SLOCUM: I understand. No, I would
12 never consider doing that to my horse.

13 COUNCILMAN MARIANO: And why would that
14 be?

15 MR. SLOCUM: Well, I wouldn't consider
16 having a tattoo myself, but having a needle stuck
17 in the upper part of your lip, I mean, I don't
18 know if you'd want to do it or not.

19 DR. BUCK: It's an imprint-type tattoo
20 where's it's all done with one squeeze.

21 COUNCILMAN RIZZO: Oh, really?

22 MR. SLOCUM: If you've ever seen a
23 tattoo on the lip of a horse --

24 COUNCILMAN MARIANO: No, I never did.

25 MR. SLOCUM: I mean, I used to deal

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2 with a lot of standardbred race horses. Half the
3 time, I couldn't read the tattoo number.

4 COUNCILMAN MARIANO: Oh, really?

5 MR. SLOCUM: I mean, don't know if
6 practices are better or worse today, but you have
7 to physically flip the horse's lip upside down,
8 and some horses don't like that, and you've got to
9 be able to read the number. I mean, it's not --
10 in my opinion, I've offered what I think is the
11 fair and the best way to regulate this.

12 COUNCILMAN DICICCO: And I wasn't
13 suggesting that -- I was looking for something
14 that may be more permanent and easier for the
15 people who will be doing the monitoring of the
16 horses and not have to go up to the stable from
17 Fifth and Market, or wherever it is, and go and
18 identify the horse. And if it turns out that they
19 really can't make a positive identification, then
20 we get into the argument, Well, it is the horse,
21 and then, you know, go back and look at it again.
22 I don't know if that's the appropriate way to do
23 it, either.

24 MR. SLOCUM: I understand that it may
25 be an inconvenience to the system; however, I

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2 think that that's only going to apply when there
3 are cases when there are issues in question, and
4 that would certainly warrant an investigation.

5 COUNCILMAN DICICCO: Thank you.

6 COUNCILMAN MARIANO: Any questions for
7 these witnesses?

8 MR. SLOCUM: I also want to say that I
9 have a list here of 21 cities which have
10 temperature regulations of 98 degrees or higher.
11 I know that there weren't many offered, but I do
12 want to state that I have a list of 21 here with
13 98 degrees or higher as far as the temperature
14 threshold.

15 And also, in my personal opinion, which
16 is shared by many of our supporters, it would be a
17 tremendous loss to the City of Philadelphia and
18 its growing tourism industry if, in fact, the
19 carriage could not survive due to excessive
20 regulations. This industry is already facing a
21 tremendous burden due to the relocation of the
22 carriage stands away from the 500 block of
23 Chestnut Street onto the adjacent Fifth and Sixth
24 Street locations.

25 We have recently experienced a 30

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2 percent loss of revenue over that move last year.
3 New regulations have added the following
4 additional fees: \$10,000 assessment from the
5 National Park Service; proposed street-cleaning
6 fees; 10 to 30 times increase in City licensing
7 fees; less work hours; less days to work -- and
8 that's not incorporating normal increase in daily
9 operating costs.

10 In summary, I can state here today that
11 if these proposed regulations are passed as
12 written, a dependable, responsible horse-drawn
13 carriage operator, such as myself, whose primary
14 business concerns are the animals, whose business
15 practices are well recommended and commended by
16 this very city, tourism agencies, local business
17 groups, and individuals, simply cannot and will
18 not survive.

19 The proposed compromised solutions that
20 I have offered to this committee today hopefully
21 are not a point from which to negotiate but the
22 bare minimums I feel that are necessary to operate
23 the quality-type service that is due of this City
24 of Philadelphia.

25 Thank you.

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2 COUNCILMAN MARIANO: Councilman, do you
3 have any questions?

4 COUNCILMAN DICICCO: Ma'am, if you wish
5 to testify, you're going to have to come up to the
6 witness table. Are you on the witness list?

7 MS. AHARONIAN: Well, I was supposed to
8 be.

9 COUNCILMAN DICICCO: Okay, we're
10 getting to you, we're not done yet.

11 COUNCILMAN MARIANO: We got plenty to
12 go, yeah.

13 Any questions of this witness?

14 I just have a couple questions. Mr.
15 Slocum, I guess you're a good guy, from what's
16 happening, and the standards that you use --
17 you're a businessman, too. So you have these
18 standards and, obviously, you like horses, I'll
19 bet ya, but it's an investment and you want to
20 take care of your investments.

21 MR. SLOCUM: That's correct.

22 COUNCILMAN MARIANO: And you're in it
23 for the long run?

24 MR. SLOCUM: Yes, I have been. I want
25 to say first and foremost that I love animals, I

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2 love horses. And that is, I guess, why it's
3 important to me that this be done right.

4 I certainly don't want to sit here and
5 support anyone who does not do this industry right
6 or certainly can't do it justice. And there are
7 not many operators who, in my opinion, do this
8 right do, this industry justice.

9 However, I plead that the committee
10 and Council understand, recognize, and realize
11 that my business practices will show that if you
12 do things right, simply by enforcing -- and I
13 don't -- my business doesn't need enforcing of
14 regulations to be at the standard or level that we
15 are today. But simply by enforcing the
16 regulations that we currently have on the books
17 and addressing the overall living conditions of
18 these animals 7 days a week 24 hours a day, you
19 will see a tremendous increase in the quality, the
20 welfare of these animals out on the street.

21 COUNCILMAN MARIANO: So I guess you've
22 never been cited by the City for doing anything?
23 Have you ever been cited?

24 MR. SLOCUM: Not that I can recall.

25 COUNCILMAN MARIANO: Have you ever had

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2 a horse, God forbid, die? Or has anything ever
3 happened because of the weather?

4 MR. SLOCUM: No, absolutely not, no.

5 COUNCILMAN MARIANO: And if I
6 understood your testimony, in the cold, you don't
7 give 'em blankets; you think it's better for them,
8 these horses -- this is a learning experience
9 again.

10 MR. SLOCUM: That is correct.

11 COUNCILMAN MARIANO: What do they call
12 'em, draft horses?

13 MR. SLOCUM: And understand that we
14 don't -- there's no need for the carriages to be
15 out there when it's under 20 degrees or the wind
16 chill factor. And even at that point, they would
17 probably be out there very minimally.

18 However, no, we do not use blankets
19 because blankets can be misused. There is a
20 proper way to use them and under certain
21 conditions. But overall, they can be misused and
22 actually have an adverse effect on the horse by
23 causing a sweating condition.

24 COUNCILMAN MARIANO: How much revenue
25 do you think -- would you say how much tax revenue

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2 you think you give the City of Philadelphia?

3 MR. SLOCUM: How much do I give them?

4 COUNCILMAN MARIANO: Yeah. You know, I
5 don't want to know what you make but --

6 MR. SLOCUM: I can only tell you --

7 COUNCILMAN MARIANO: How much taxes do
8 you pay? You certainly know that.

9 MR. SLOCUM: Just this morning, I had
10 to make another deposit into my account. I'm
11 paying over \$3,000 a week in employee wage taxes.

12 COUNCILMAN MARIANO: How many employees
13 do you have?

14 MR. SLOCUM: Our total operations will
15 exceed 100.

16 COUNCILMAN DICICCO: Is that including
17 the trolleys?

18 MR. SLOCUM: That's correct.

19 COUNCILMAN DICICCO: How many just in
20 the carriages?

21 COUNCILMAN MARIANO: I'm interested in
22 just the horses.

23 MR. SLOCUM: The horse-drawn carriages,
24 I would say, in the peak of our season, we would
25 have close to 50 people.

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2 COUNCILMAN MARIANO: Okay. And how do
3 you control all of the people that work for you?
4 How do you know that you don't get a bad person
5 that's just, you know. . .

6 MR. SLOCUM: Well, that's a very good
7 question, and I --

8 COUNCILMAN MARIANO: 'Cause you got a
9 lot of people.

10 MR. SLOCUM: I commend my staff because
11 I feel that the people in our management --

12 (Disturbance from audience members
13 talking out loud among themselves.)

14 COUNCILMAN MARIANO: Excuse me, ma'am,
15 ma'am, you're going to get a chance.

16 COUNCILMAN DICICCO: Councilman Tayoun?

17 COUNCILMAN MARIANO: I'm sorry. I
18 didn't even know it was you, Councilman, but we
19 got to hear these guys, 'cause this is all
20 important.

21 Sorry to --

22 MR. SLOCUM: I certainly have to say
23 that this not only me, but the members of our
24 staff and the people who are in the management and
25 supervisory positions throughout all of the ranks

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2 of our business certainly feel the same way.

3 COUNCILMAN MARIANO: Well, I don't have
4 any more questions. Anyone else have any more
5 questions for Mr. Slocum?

6 COUNCILMAN DICICCO: One final
7 question. I believe I have referenced and you
8 have revered the Interior Department or the
9 Park Service regs. How do you feel about those
10 regulations, and do you feel those are applicable
11 to -- or that those are the regs that we should
12 look to when we deal with this piece of
13 legislation on the City's side?

14 MR. SLOCUM: Well, I certainly feel
15 that there are pieces and parts of that that
16 should be looked and perhaps incorporated in this.
17 It's for the overall safety and to control the
18 atmosphere under which we operated around the
19 National Park.

20 And I don't know which ones you all
21 would specifically want to incorporate, but I
22 would certainly have -- I mean, these are
23 regulations that, although we're not -- most of
24 them have currently been deleted from the current
25 permit, our company still abides by and feels that

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2 were certainly put in there as necessary
3 requirements to operate.

4 COUNCILMAN DICICCO: I think it would
5 be helpful to the committee if you could supply
6 the committee with a copy of the regulations that
7 the Park Service has in place and maybe highlight
8 those that you think would be applicable to the
9 industry from the City's side.

10 MR. SLOCUM: And I will do that.

11 COUNCILMAN DICICCO: Thank you.

12 COUNCILMAN MARIANO: Any other
13 questions?

14 (No further questions.)

15 COUNCILMAN MARIANO: Mr. Grimes, you
16 want to testify?

17 MR. GRIMES: Well, Mr. Chairman, what I
18 was asked to do -- you were all presented with a
19 fairly thick group of letters from various
20 constituencies that were generally in support of
21 Mr. Slocum's testimony, and I won't bore you with
22 all that.

23 COUNCILMAN MARIANO: It will be put in
24 the record.

25 MR. GRIMES: But I would like to -- I

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2 think one of the letters is very important and
3 it's from Dr. Dale Schilling, who is not only the
4 veterinarian for 76 Carriage, but he is also the
5 City of Philadelphia's Police Department horse
6 veterinarian who we had wanted to be here today,
7 but he couldn't, and I would like to read his
8 letter because I think it's fairly important here.
9 This is addressed to Councilman DiCicco.

10 "Dear Councilman DiCicco: Thank you
11 for allowing me to speak on behalf of the
12 horse-and-carriage regulations in Philadelphia.
13 My veterinarian practice is specific to the care
14 and treatment of horses. I have served as the
15 veterinarian for 76 Carriage Company for 22 years.
16 I have also been the veterinarian for the City of
17 Philadelphia mounted police horses for the past 18
18 years.

19 "During the past 22 years, there has
20 never been a problem with heat-related illnesses
21 concerning the horses under my care who work in
22 the City on a daily basis. It is my professional
23 opinion that the current regulation of 94 degrees
24 is adequate to prevent heat-related problems with
25 the carriage horses. Horses who have

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2 accessibility to fresh water, are in good health,
3 and live in a properly managed stable will
4 tolerate the heat while working during the summer
5 months.

6 "Please accept this letter in lieu of
7 Council testimony" and yadda-yadda -- I won't read
8 the rest of the letter but I thought it was fairly
9 important.

10 I would also point out, although I will
11 not read them to you again, that we have just
12 recently provided letters in a separate packet
13 from Charlie Pizzi, the Chairman of the Chamber of
14 Commerce and also from Charlie Heinz, who is the
15 General Manager of the Marriott Hotel and is Chair
16 of the Convention Visitors Bureau's Government
17 Affairs Committee, who are also in support of
18 particular aspects, and I will not read them, so
19 don't --

20 COUNCILMAN DICICCO: Thank you.

21 COUNCILMAN MARIANO: Thank you. They
22 have all been put into the record.

23 Any more questions?

24 (No further questions.)

25 COUNCILMAN MARIANO: Seeing none, now

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2 let's do this right. Who didn't testify? You
3 guys can go.

4 COUNCILMAN DICICCO: Thank you.

5 COUNCILMAN MARIANO: Let's try to do
6 this in fours or fives. How many other people are
7 there to testify after this group? raise their
8 hand. Anybody else want to testify after this
9 group?

10 MR. GOLDSMITH: Mr. Chairman, members
11 of Council, my name is Mr. Edwin Goldsmith, I
12 represent the Philadelphia Carriage Company. I'd
13 like to --

14 COUNCILMAN MARIANO: I have to ask Mr.
15 Goldsmith -- I don't want to hurt your feelings,
16 but as I ranked everyone from the good guys down
17 to that word I said, "scumbags" --

18 MR. GOLDSMITH: We're the good guys.

19 COUNCILMAN MARIANO: Okay. Well, I
20 thought he was the good guy.

21 MR. GOLDSMITH: We're all good guys.

22 COUNCILMAN MARIANO: Slocum, he's a
23 good guy?

24 MR. GOLDSMITH: Slocum -- we're good
25 guys.

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2 MR. AHMED: Everybody good guy.

3 COUNCILMAN MARIANO: Well, why do I
4 doubt that?

5 MR. GOLDSMITH: But you've heard
6 testimony that did say that Philadelphia Carriage
7 Company was one of the --

8 COUNCILMAN MARIANO: Yeah, he did say
9 you were one of the --

10 MR. GOLDSMITH: One of the two good
11 operators. And proceeding from there, I'd like to
12 call as my first witness Dr. Samuel Geller, who is
13 sitting on my right.

14 Dr. Geller, would you give us a little
15 bit of your educational background and
16 professional background.

17 DR. GELLER: All right. My name is
18 Samuel Geller. I'm a veterinarian and I'm one of
19 the owners of Quakertown Veterinarian Clinic up in
20 Quakertown, which is upper Bucks County.

21 I have a unique perspective from this
22 in that I wear two hats in that when I was a
23 first-year and second-year veterinarian student at
24 the University of Pennsylvania, my summer job for
25 two summers was driving a horse and carriage. So

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2 I have been in the driver's seat and I know how
3 this business operates.

4 I then graduated veterinary school and
5 did some equine practice along with mixed small
6 animals. Currently, I treat mostly small
7 animals. However, my father-in-law runs a private
8 horse-and-carriage business, shows the Devon Horse
9 Show, my wife rides, I have a pony that drives,
10 etc., etc.

11 So I come with a lot of experience
12 about horses and carriages. And I'm here to
13 basically give my opinion and try and help answer
14 some questions that might be in your mind that
15 other people maybe did not answer.

16 First thing I wanted to talk about was
17 from a driver's viewpoint or a person that's
18 working in the business's viewpoint. There was a
19 lot of talk here about, you know, what's the best
20 way to control the care for these animals and to
21 treat them humanely.

22 And I truly, truly believe that it is
23 -- if these animals are care for properly, if you
24 select the right animals, if they are acclimated,
25 and I think that is the key issue here, are they

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2 acclimated? Meaning, did they start their work in
3 April, when it starts warming up and every day
4 they're doing more work? This is a very seasonal
5 business. You don't have to deal with this
6 question about 20 degrees wind chill factor. The
7 drivers won't go out, there's no business, they
8 don't want to stand their twiddling their thumbs,
9 I didn't either.

10 So we all started going out in the
11 spring, and everyday we did a little more work and
12 a little more work and we made a little more money
13 till we hit the peak season. And during the peak
14 season, it was, of course, the hottest, and our
15 horses were able to handle it because they slowly
16 acclimated every summer. This is the way it
17 works.

18 The horse I drove -- I actually drove a
19 horse, I drove a mule. It was extremely important
20 to me how that animal was because if he wasn't
21 well, guess who didn't have a job, okay? And that
22 is really the -- that shows through in the way
23 these two companies that you've heard from today
24 take care of their animals.

25 To find, first of all, an animal that's

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2 sound is really important. To find one that's
3 safe to drive is extremely important. So to abuse
4 that animal and to not take good care of it
5 doesn't make business sense. These guys aren't
6 cheap, you know, and they're not disposable. And
7 it's not even the cost; it's the training
8 involved, it's the liability, it's the insurance,
9 it's the accidents. So if you don't take care of
10 your horse, you're really a fool. So Philadelphia
11 and 76 have done everything to try and keep their
12 stables intact and keep those animals working.

13 And then there's been a lot of talk
14 about the types of horses. Draft horses are bred
15 to pull carriages. That's -- they're out
16 everywhere in the Amish country, these big, heavy
17 horses, plowing fields. It doesn't matter what
18 the temperature is. Apparently, people must think
19 it's humane out here but it's not humane here. I
20 don't understand some of the rationale as far as
21 statements about, you know, what temperature's
22 right, what's not right. It's really, is the
23 animal in condition, is the animal used to it, can
24 the animal do it?

25 When it is 98 degrees, they don't shut

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2 down Philadelphia Park. When there is a combined
3 training event for the Olympics in Gladstone --
4 and an associate of mine, I asked him last night,
5 I said, "What do you think about this issue?" He
6 goes, "Well, we were out at Gladstone last summer
7 and we were doing this combined training." And
8 that was, like, these guys are running at a trot
9 the whole time, and they have vet checks where
10 they're checked. And he goes, "These horses are
11 running at 104 degrees temperature."

12 Normal's 100 degrees, and they get
13 their vet check and they move 'em on, but these
14 horses are conditioned, and they are all trained.
15 These guys are doing strenuous activity for the
16 Olympic team, and this is not, you know, a big
17 problem because they're used to it.

18 The horses you're talking about today
19 are marathon walkers. They walk, walk, walk, and
20 a lot of times they stand.

21 So, you know, my opinion on temperature
22 -- you know, you can pick whatever magic number
23 you want. I was here, I guess, 15 years ago, when
24 I first graduated veterinary school, when they
25 made the first regulations and they decided the 94

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2 temperature. Now they want to go and change it.

3 The history has been -- where has been
4 the problem? I -- Mr. Slocum said there's been no
5 collapses, there's been no injuries. When I was a
6 driver, we had a collapse. The collapse was the
7 horse had colic, it was an intestinal thing.
8 Maybe people that saw the horse thought it was
9 heat thing but it was an intestinal thing.

10 So where are the documented cases of
11 these crises (sic) that everybody's talking
12 about or worrying about or predicting? I mean,
13 it's been 15 years since I've sat here, and I
14 don't know of anyone that has come across saying
15 that there's ten horses that died in the City of
16 Philadelphia.

17 So it's a big lot of talk, but where is
18 really the problem? So, you know, you can pick a
19 number, whatever you want. One veterinarian will
20 give you one number, another veterinarian will
21 give you another number. My point is, it's the
22 care of the animal and it's the training, and is
23 that done properly.

24 These guys pull on a flat surface.
25 They're not pulling up and down mountains and

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2 hills. This is not San Francisco; this is
3 Philadelphia. When I drove my carriage, you could
4 see the biggest issue was the horse getting it
5 started. Once they got the momentum, everything
6 is on ball bearings, everything is rolling. If
7 the carriage is treated properly, if it's greased,
8 if it's lubed, it is not such an ordeal.

9 And, again, this is a 1600-pound horse
10 that was bred. We're not talking about Morgan
11 horses. These guys don't buy Morgan horses, they
12 buy Percherons (ph.), they buy Belgians, they buy
13 the big draft horses, and these horses were bred
14 specifically for this, have been since whenever
15 they existed. And to think that this is a
16 different type of horse out there that someone's
17 going to ride, it's not that horse.

18 So, you know, again, we've got to use
19 some common sense here. It's a very emotional
20 issue for a lot of people, and I look -- I look at
21 it from a common-sense thing. You know, what is
22 the history, what are the facts, you know, what
23 have been the problems, and how do you guys come
24 about with a number.

25 There was a big discussion about

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2 identifying, tattooing that -- here's your answer,
3 I give you that one --

4 COUNCILMAN DICICCO: I saw you waving
5 your hand.

6 DR. GELLER: Yeah, right, 'cause you
7 guys wasted a whole 20 minutes and you all
8 probably want to go home for dinner.

9 Microchip, you microchip the horses.
10 My dog is microchipped, probably some people's in
11 this room's dogs are microchipped.

12 All you have to do, if you got a
13 regulator guy, you buy him the scanner, he scans
14 the horse --

15 COUNCILMAN MARIANO: I have to
16 interrupt you. Everything Councilman Rizzo owns
17 is microchipped -- from all of his toys to
18 everyone he dates.

19 (Laughter.)

20 DR. GELLER: Well, you know what, you
21 know what --

22 COUNCILMAN MARIANO: That's what he
23 does.

24 DR. GELLER: They can't be falsified,
25 they don't fade, they don't disappear. The only

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2 issue with microchips is, some of them can drift.
3 Typically we microchip horses in the neck area,
4 and these things are the size of a grain of rice.
5 The companies that sell 'em say they're not
6 supposed to migrate, but sometimes they do. So if
7 they migrate to the neck, you scan the entire
8 front of the horse, you get reading.

9 It's the same thing every SPCA in the
10 country uses to identify every dog so that
11 laboratories can't steal 'em, you know, shifty
12 people can't do it. The AKC requires it, so it's
13 real easy. You know, if you have one person that
14 needs to identify the horse, he knows where the
15 scanner is, he gets the scanner, and he scans the
16 horse. You don't have to worry 'cause no one can
17 falsify it.

18 COUNCILMAN DICICCO: Good.

19 DR. GELLER: And they're cheap.

20 COUNCILMAN DICICCO: I was just going
21 to ask --

22 DR. GELLER: You can get them for under
23 120 bucks.

24 COUNCILMAN DICICCO: I forgot to ask
25 that question. I was thinking about the microchip

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2 and --

3 DR. GELLER: I mean, the other doctor
4 hadn't --

5 COUNCILMAN DICICCO: It's \$125 for the
6 scanner?

7 DR. GELLER: No. The scanner might --
8 some of the companies, if you're buying enough
9 chips, they give you the scanner. But maybe it's
10 50 bucks, 100 bucks.

11 COUNCILMAN DICICCO: But the purchase
12 and the implementation of the chip is about how
13 much?

14 DR. GELLER: If someone came to me and
15 you want dog chipped, it's \$25.

16 COUNCILMAN DICICCO: Same for a horse?

17 DR. GELLER: Same, sure, it's the same
18 thing.

19 COUNCILMAN DICICCO: Like E-ZPass.

20 DR. GELLER: So, you know, if you want
21 to identify these horses with no confusion, no
22 possibility for fraud, there's only one way to go,
23 and that's the technology today. The tattoo
24 thing, it fades. I mean, all the race horses that
25 are tattooed, you can't beat 'em. Then the Arabs

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2 have their brands and they're in different
3 languages, you can't read those.

4 So the microchip is a number, a piece
5 of cake. So that's my recommendation if you're
6 putting that into your --

7 COUNCILMAN MARIANO: There's been a
8 wealth of knowledge, thank you. We should have
9 let you come up first, you should have told us.

10 DR. GELLER: Well, I tried to interrupt
11 you but, you know, you get that done.

12 So I mean, basically, you know, my
13 opinion is here is that you've got to use common
14 sense when you write this bill, you have to use
15 the track record. And the real key everyone's
16 getting really worked up about is the treatment of
17 the animals, and that's really the key. And if
18 these guys treat 'em well, they'll work well. And
19 they have to treat 'em well or they won't be in
20 business. You know, it doesn't make sense.

21 They can't buy 50 new horses every
22 year. It's too expensive and it's too long to
23 train. It's like running any other business, it's
24 your staff.

25 COUNCILMAN DICICCO: Yeah. I think I

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2 can agree with you to a certain degree, but I
3 think there are those out there who may not buy
4 the horses that are in the best condition and just
5 figure they will use that horse until it just dies
6 on them because the investment is not as great.

7 DR. GELLER: Right, right.

8 COUNCILMAN DICICCO: That's a good
9 business person.

10 DR. GELLER: Right, right.

11 COUNCILMAN DICICCO: A good business
12 person who is in it -- no pun intended -- for the
13 long haul, one would say, "I want to buy a horse
14 that is in good condition, take care of that
15 animal to get the most use out of it because it
16 benefits me as a business person."

17 DR. GELLER: Exactly.

18 COUNCILMAN DICICCO: And not have to
19 deal with all of the City agencies and everybody
20 coming down on me, but recently, we had, I think,
21 the complete opposite of that, where I believe
22 someone may have purchased those -- horses and I
23 don't know this for a fact, but they were probably
24 inexpensive and these horses were probably on
25 their, as they say -- again, not to be

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2 disrespectful -- on their last leg and ran them
3 into the ground and it's just profit, profit,
4 profit, profit.

5 So I guess one of my questions is, when
6 the horses are purchased, who makes the
7 determination, aside from -- is there anyone,
8 aside from the business person, who determines
9 that the horse is in fit shape to be purchased for
10 the purpose of working in that business? Is the
11 City doing any of that? And I see 'em shaking
12 their head no.

13 And I know I'm going to keep hearing
14 these things with bureaucracy, because I just -- I
15 really dislike bureaucracy, but how do we
16 guarantee that? 'Cause I think that's a very
17 valid point, and it goes back to what my opening
18 statement was, which was based on conversations
19 that I had with veterinarians and as recent as
20 Sunday --

21 DR. GELLER: Right, right.

22 COUNCILMAN DICICCO: It's the care that
23 is probably more paramount than anything else.
24 The issue of temperature, I think, again, we can
25 debate that from here to doomsday, and no one's

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2 ever going to be happy on it, I don't think. But
3 the care is more paramount than anything else.
4 And if you have a well-properly maintained horse
5 who's properly fed and bedded and the conditions
6 that horse lives in are appropriate and adequate,
7 then that horse, obviously, can operate and work
8 longer and in probably more severe conditions than
9 another horse.

10 I mean, it's just like us. I mean, I
11 would be a fool to get out on the Broad Street Run
12 last week 'cause I don't run.

13 DR. GELLER: Right.

14 COUNCILMAN DICICCO: But someone who
15 runs every day and trains for it, the Broad Street
16 Run, I guess, is a cake walk to them.

17 DR. GELLER: If I had a suggestion for
18 you, there was a letter written by Dale Schilling,
19 a veterinarian out in Montgomery County, that he
20 apparently -- I think he has the contract with the
21 City for the mounted horses, okay? Now, this --
22 Dale is a good veterinarian, and you need to find
23 someone like Dale that is going to be your
24 inspector person who is going to come from an
25 objective area and look at these horses and give

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2 them a physical. You guys have to decide what you
3 feel is an adequate amount of surveillance.

4 So, for instance, okay, at the
5 beginning of the season, we want these animals
6 examined -- I mean, we, as veterinarians, write
7 health charts every day of the week. When animals
8 have to ship, they have to have health charts.
9 For horse shows, sometimes they require health
10 charts.

11 So there's formal paperwork that are
12 health chart-type things, that you can say, Okay,
13 Dr. So-and-So comes in, inspects these horses, he
14 knows who they are, they're chipped, they can't go
15 in say this is Horse A and it's really Horse B
16 'cause they're chipped. Most of the vets
17 probably have scanners anyhow, so it's not a big
18 deal about the scanning issue. And they go and
19 say, This horse is fit.

20 I mean, at Philadelphia Park, every day
21 they race, the horses are examined by
22 veterinarians on the grounds that work for the
23 Racing Commission, and say, These horses are fit
24 to work today and do this race. And the main
25 reason they do that -- you know, everyone thinks

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2 it's for the horse's sake; it's for the jockey's
3 sake. They cannot send that horse out there lame,
4 have him break his leg in the middle of the track,
5 and the jockey goes flying and gets killed. That,
6 obviously, doesn't look good for their industry.
7 So the Racing Commission in Pennsylvania thinks
8 that's a big issue. Of course, it's a big issue
9 for the horse also and the public and the
10 perception.

11 But when it really comes down to
12 legality, dollars and cents, I mean, I worked as a
13 state veterinarian for a period of time, and they
14 said -- my boss told me, "You're protecting these
15 jocks." He goes, "That's your job. If you have a
16 question about a horse going to the post,
17 remember, you're protecting the jock." It's the
18 same thing: the vet would be protecting the
19 tourist, the drivers, and the reputation of the
20 City of Philadelphia.

21 So, you know, I mean, everyone agrees,
22 it's the condition. You just have to establish
23 what you guys feel is fair and what these guys can
24 live up to. And I think that's the direction you
25 need to go.

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2 MR. GOLDSMITH: Well, thank you
3 Dr. Geller.

4 DR. GELLER: Thank you.

5 MR. GOLDSMITH: So, in other words, it
6 is your testimony that the temperature that's in
7 this ordinance is not particularly relevant to
8 this issue.

9 DR. GELLER: Yeah. In my opinion, you
10 could pick whatever number you want to pick out of
11 the air. It depends where you live, it depends
12 what the horse has done. The bottom line is, can
13 the animal do it? And, you know, I know you have
14 to pick a temperature. Fifteen years ago, we
15 picked 94, and there a big debate then about it,
16 and they came out with that number.

17 And, again, my point to you is, you've
18 had that number. What has initiated the reason to
19 change it? We don't have these horses scattered
20 all over Philadelphia laying in heat. So what has
21 done it?

22 I mean, and no other industry has a
23 number -- whether it be horse shows, whether it be
24 racing. So it's, like, why would this industry
25 now all of a sudden have a number?

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2 MR. GOLDSMITH: Thank you.

3 COUNCILMAN DICICCO: I think it's
4 because it's in everybody's face day in and day
5 out.

6 DR. GELLER: Right.

7 COUNCILMAN DICICCO: And people are
8 wondering, you know, they're sitting there saying,
9 God, it's so hot out today. You know, these poor
10 horses. And most people --

11 DR. GELLER: It's a very emotional
12 issue.

13 COUNCILMAN DICICCO: -- are uneducated
14 about it, with all due respect.

15 DR. GELLER: Right.

16 COUNCILMAN DICICCO: Including myself.
17 I'm just -- I'm still getting an education.

18 DR. GELLER: Yeah, and I think you're
19 doing a good job of it 'cause I think the best
20 thing you did this weekend was talking to another
21 veterinarian. You're going to get ten opinions,
22 ten different veterinarians and --

23 COUNCILMAN DICICCO: It's just like
24 going to the doctor.

25 DR. GELLER: Exactly.

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2 COUNCILMAN DICICCO: Three doctors give
3 you three different opinions as to whether or not
4 they should operate and stuff like that.

5 MR. GOLDSMITH: Well, thank you Dr.
6 Geller.

7 COUNCILMAN DICICCO: Councilmember
8 Rizzo?

9 MR. GOLDSMITH: I have another witness
10 to call.

11 COUNCILMAN DICICCO: Councilman Rizzo
12 has a question.

13 COUNCILMAN RIZZO: Doctor, I'd like to
14 just move away from the issue of temperature for a
15 moment and talk about something a little more
16 closer to the ground. The Health Department, I
17 believe, has left the shoeing, the condition of
18 the horse's hooves, legs. To me, that's a very
19 important issue, and I don't know how much of a
20 problem that the industry has and whether or not
21 they use horseshoers that are licensed,
22 horseshoers -- I don't even know if there's such a
23 thing. I know at the track, a blacksmith makes
24 the shoe and a horseshoer puts it on, right?

25 Where do we -- how big of a problem, if

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2 any, do we have with the condition of the horse's
3 legs and feet? Because, again, I walk in that
4 area, and I know that the condition of the streets
5 aren't always the best for pedestrians, and I
6 would assume a big hoof like a Belgian horse, that
7 the condition of our city streets is also very
8 important to the industry.

9 How big of a problem do we have with
10 the horse's legs, the shoeing requirements? Could
11 you just comment on that?

12 DR. GELLER: First of all, most of
13 these companies use well-experienced farriers.
14 They need to use extremely experienced farriers
15 because they don't need these shoes falling off,
16 so they need people that know what they're doing.
17 Most of the people use are experienced in shoeing
18 carriage horses, not only for the industry, but
19 most of their business would be related to
20 pleasure driving, things like that. So there's a
21 number of farriers in the area that are excellent
22 farriers.

23 The people that I know in the business,
24 a lot of them load the horses up and take 'em out
25 to Lancaster and use farriers out in Lancaster --

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2 again, because these guys are dealing with the
3 Amish horses and, you know, these guys are on the
4 road all time.

5 So they have special shoes, they have
6 people that know what they're doing. They need to
7 put something on the shoes to -- a lot of them put
8 bohrium --

9 COUNCILMAN RIZZO: Bohrium.

10 DR. GELLER: Which is -- it provides
11 the fact that that shoe isn't going to be worn
12 down in two days. It's not probably the greatest
13 thing for the street, unfortunately, it might chew
14 it up a little bit. But, again, I don't know if
15 that's ever been a major issue or not.

16 But the bottom line is that the people
17 that are --

18 COUNCILMAN DICICCO: We don't want to
19 talk about that.

20 DR. GELLER: What's that?

21 COUNCILMAN DICICCO: We don't want to
22 talk about the ruts.

23 DR. GELLER: The ruts?

24 COUNCILMAN DICICCO: The ruts that are
25 in the streets.

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2 DR. GELLER: Okay, we'll ignore that.

3 COUNCILMAN RIZZO: We'll blame it on
4 the snow tires.

5 DR. GELLER: Exactly. Now, the bottom
6 is, you know, what are the terrains on? The nice
7 thing, it's a flat terrain, so that's an
8 advantage. Obviously, if there's potholes or
9 issues like that, anyone can turn an ankle and
10 potentially come up with a -- like a pulled
11 ligament, something like that. That horse is
12 going to need to be seen by a veterinarian,
13 rested, etc.

14 There are things that will develop in a
15 carriage horse's feet. If you radiograph a
16 carriage horse's feet, you will see a thing called
17 "sidebone," and that is -- in school, when they
18 showed sidebone, they say, "Oh, you see that
19 there? That's sidebone." And they say, "Do you
20 think that was causing lameness in this horse?"
21 They said that it rarely does.

22 So there are some radiographic changes
23 that you'll see on every horse's radiographs.
24 There's certain levels of arthritis -- like all of
25 us are going to have as we age. Is the road any

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2 worse than running out in a soft -- you know, it's
3 there's wear and tear, no matter where these guys
4 work.

5 COUNCILMAN RIZZO: Okay, thank you.

6 MR. GOLDSMITH: Thank you. I'd like to
7 call my next witness, Mr. Basheir Ahmed.

8 COUNCILMAN MARIANO: Could you spell
9 his last name or could someone spell the last
10 name.

11 MR. GOLDSMITH: Would you spell your
12 name for the --

13 MR. AHMED: My name is Basheir Ahmed.
14 My first name B-A-S-H-E-I-R. The last name
15 A-H-M-E-D.

16 COUNCILMAN DICICCO: Thank you.

17 MR. AHMED: You're welcome

18 MR. GOLDSMITH: Mr. Ahmed is the owner
19 of Philadelphia Carriage Co.

20 How many years have been operating
21 Philadelphia Carriage Co.?

22 MR. AHMED: Since '79, 21 years.

23 MR. GOLDSMITH: And during that period
24 of time, have you had experience with this
25 temperature issue? Have you had any horses that

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2 have been negatively affected by temperature?

3 MR. AHMED: Well, I don't have any
4 problem with 94 degrees at all, with all my
5 horses. I don't see any horse from other company
6 fell down or pass away or something happen to him
7 in the street.

8 MR. GOLDSMITH: Now, you're familiar
9 with the hours of operation that are proposed by
10 this ordinance. If those hours of operation were
11 put into effect, what effect would that have on
12 your company?

13 MR. AHMED: Those hours exactly fit the
14 new regulation, just put us out of business 100
15 percent.

16 COUNCILMAN DICICCO: How many people do
17 you employ, Mr. Ahmed?

18 MR. AHMED: 25.

19 MR. GOLDSMITH: And so then 25 people
20 would lose their jobs at that point, under these
21 regulations, under these hours.

22 MR. AHMED: (No verbal response.)

23 MR. GOLDSMITH: What are your prime
24 hours of operation, Mr. Ahmed?

25 MR. AHMED: The hours are 3 o'clock

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2 from until 7 o'clock. That's most time we get
3 more tourists to the City, we get more ride.

4 MR. GOLDSMITH: Do you also between 7
5 and 12 o'clock at night and on weekends?

6 MR. AHMED: Between 7 to 12 o'clock is
7 the second shift we can work.

8 MR. GOLDSMITH: Now, do you rotate
9 these horses, or does one horse work the whole day
10 or does he go back to the stable? Or how does it
11 work?

12 MR. AHMED: The horse work during the
13 day is different. Another horse during the
14 night. Is different horse, not the same horse.

15 MR. GOLDSMITH: So you rotate these
16 horses.

17 MR. AHMED: Yes, we do.

18 MR. GOLDSMITH: So what's the longest
19 time a horse is out in service?

20 MR. AHMED: Around 9, 10 hours.

21 MR. GOLDSMITH: That's the max?

22 MR. AHMED: That's the maximum.

23 MR. GOLDSMITH: So, now, during the
24 year, do you put these horses out to pasture for a
25 period of time?

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2 MR. AHMED: We do 'em in the
3 wintertime, we (unintelligible) the horses in
4 Lancaster. We take a few of them, we return them
5 to the field in (unintelligible).

6 MR. GOLDSMITH: Councilman Rizzo, you
7 look like you were --

8 COUNCILMAN RIZZO: I'm having trouble
9 with the hours of operation there. If you rotate
10 the hours and the maximum horse could be out --
11 the arithmetic doesn't work. How could a horse be
12 out a maximum of 10 hours and you rotate it?.

13 MR. AHMED: No, from 10 o'clock until
14 5, 6 o'clock is 9 hour almost.

15 COUNCILMAN RIZZO: But you said you
16 rotate 'em.

17 MR. AHMED: No. For night shift.

18 COUNCILMAN RIZZO: So they're out --

19 MR. AHMED: The same horse go out.

20 COUNCILMAN RIZZO: So you're telling me
21 that the night-shift horse --

22 MR. AHMED: Is different horse.

23 COUNCILMAN RIZZO: -- starts at 5
24 o'clock and works till midnight?

25 MR. AHMED: No. The horse from, like,

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2 9:30, 10 o'clock in the morning go in, go to
3 stable back around 5 o'clock. And the other horse
4 can go out -- different horse -- from 7 until 12
5 o'clock.

6 COUNCILMAN RIZZO: So even though you
7 rotate them, a horse -- one horse that's rotated
8 could be out a maximum of ten hours.

9 MR. AHMED: Yes, about that, nine hour.

10 COUNCILMAN DICICCO: Could be.

11 MR. GOLDSMITH: Could be. But in other
12 words, you could rotate then so that there would
13 be shorter hours.

14 COUNCILMAN RIZZO: Is that five days or
15 seven days?

16 MR. AHMED: Seven days.

17 COUNCILMAN RIZZO: I'm glad I'm not a
18 horse.

19 MR. AHMED: And most of the time,
20 really, the horses, when they go out from 10
21 o'clock to 5 o'clock, they're not all constantly
22 on rides; they take a rest in between rides and
23 the other. Not all the time they really working;
24 they take a rest in between.

25 MR. GOLDSMITH: So some of those horses

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2 are standing and not being used.
3 MR. AHMED: Yes.
4 MR. GOLDSMITH: Okay.
5 COUNCILMAN RIZZO: You never change
6 horses on location, do you? In other words, you
7 never would unharness a horse on the street and
8 put them --
9 MR. AHMED: No, no, we don't do that.
10 COUNCILMAN RIZZO: You would always do
11 that back at the barn?
12 MR. AHMED: You have to go to stable,
13 right.
14 COUNCILMAN RIZZO: So you wouldn't
15 bring a fresh horse down at the carriage and take
16 the harness off the horse, you would never do
17 that, right?
18 MR. AHMED: No, we don't do that.
19 COUNCILMAN RIZZO: You would never do
20 that on the street?
21 MR. AHMED: No, no.
22 COUNCILMAN RIZZO: Okay, thank you.
23 COUNCILMAN DICICCO: Any other
24 questions, any other statements?
25 MR. GOLDSMITH: I'd like to call

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2 Councilman Tayoun to speak about some of the
3 background of this legislation.

4 (James Tayoun comes forward.)

5 COUNCILMAN DICICCO: You never thought
6 you'd be back talking about horses again, right?

7 MR. TAYOUN: Yeah. My name is James
8 Tayoun, T-A-Y-O-U-N.

9 Mr. Chairman, I have to -- well the
10 chairman's gone, but I have to congratulate the
11 chairman and I have to congratulate the author of
12 the legislation for really digging in as deeply as
13 you have and trying to do things.

14 But I'd like to call to your attention
15 that the major problem both companies that have
16 testified before you face is the fact of lowering
17 the temperature, which could be an arbitrary
18 situation. It does impede their ability to earn a
19 living because of the way Philadelphia weather
20 changes from moment to moment.

21 And the other one is the hours of
22 operation. In my history and your history as
23 Councilpeople of this district, we understand that
24 people are always complaining about something with
25 the carriage companies. But in reality, the good

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2 that they do outweighs the problems that people
3 have to suffer. Most of us have to share in
4 keeping a tradition like this alive, which is good
5 for us. And we all have to bite the bullet.

6 But I'd also like to call your
7 attention, you might not know about it, but the
8 carriage company that really hit the headlines and
9 created a lot of problems for you as the
10 Councilman and for the Councilpeople and for the
11 carriage companies was the problem created by a
12 landlord fighting with the carriage owner over
13 rents, and the horses could not be reached by the
14 owner because the stable owner -- the horse owner
15 could not take care of his horses because the
16 stable owner wouldn't let him in for two weeks,
17 maybe three weeks.

18 And I remember going to a hearing and
19 discussing this with health people, but now I
20 understand that the judge has ordered those horses
21 back to the original owner, and they're going
22 someplace else, so they're going to probably be
23 around and under very intense scrutiny by your
24 committee as well, but I think everything will be
25 back to --

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2 COUNCILMAN DICICCO: I wonder, but I'm

3 not --

4 MR. TAYOUN: I hope so.

5 COUNCILMAN DICICCO: I'm not going to

6 open up a debate with you but I --

7 MR. TAYOUN: No, I --

8 COUNCILMAN DICICCO: But I wonder if it

9 was only two weeks that they couldn't get to those

10 horses. Those horses looked like they were abused

11 a lot longer than two weeks.

12 MR. TAYOUN: Well, you were there and I

13 wasn't, so I go with your judgment.

14 COUNCILMAN DICICCO: It was --

15 MR. TAYOUN: I go with your judgment,

16 Mr. Councilman, and I want to thank you very much

17 for testifying.

18 COUNCILMAN DICICCO: Thank you and I

19 appreciate your staying here.

20 MR. GOLDSMITH: Councilman DiCicco, I'd

21 like to hand up some petitions that only were done

22 in the last three days of 350 citizens who

23 appreciate the availability of the carriage ride

24 the and importance of those carriages to

25 Philadelphia.

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2 And in conclusion, I would like to say
3 that with all the testimony you've heard today,
4 there is obviously a humane aspect that we're all
5 concerned with. But on the other hand, we also
6 have a business that we need to consider, and
7 there needs to be a balancing here. The hours
8 that are shown in this present ordinance would put
9 these companies out of business. The temperature
10 also has an impact on the companies 'cause it just
11 reduces the number of days in which they can
12 operate.

13 They still have the overhead. The
14 overhead does not go away, and so there are there
15 are the business considerations as well.

16 And I thank you very much for affording
17 us this time to make a presentation.

18 COUNCILMAN DICICCO: Thank you.

19 And I certainly, I guess am speaking on
20 behalf of the other members of the committee, that
21 we have -- I think they have been more enlightened
22 about it today. I have to some degree, but I've
23 been working on this for a couple of years.

24 And I do understand that when we're
25 asking the industry to abide by maybe more

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2 stringent regulations, in effect, we are reducing
3 the hours that they can work, which means reducing
4 the income, but yet we're imposing other
5 restrictions that are going to require them to
6 have more output in terms of dollars.

7 So we're paid to try to make some
8 decisions that -- and, again, as I said at the
9 onset, I think this is one where not everyone will
10 get 100 percent of what they want, and I'm sure a
11 lot of people will walk away upset, but we're paid
12 to do this, so we will mull over this for the next
13 -- I'm not sure what the date is.

14 Do we have a date? It will be at the
15 call of the Chair. I didn't close the hearing
16 yet, but is there anyone else here who wishes to
17 testify? I believe the lady in the back does?

18 And I think what we really need to do,
19 whatever the final draft of the legislation is to
20 the owners who are here today, who are the most
21 responsible owners, and everyone has agreed upon
22 that, is when we say in the legislation that
23 you're not to be on Race Street between the hours
24 of 4 and 6 p.m., we mean it. You know, we can't
25 keep making excuses. So I think there's a whole

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2 educational process that needs to be encouraged
3 from the owners of these companies with the
4 operators or the drivers of these carriages.

5 I don't think anything we can do today,
6 whether we got everything in there that everybody
7 agreed on is going to make a difference unless
8 somebody wakes up and says that we are going to
9 begin the enforcement, and I think we really will
10 begin to do the enforcement, and that we mean
11 business on our part.

12 And people have to just be more
13 responsible out there. And if they were -- I
14 mean, I'll give you an example. I sent the letter
15 off to all of the companies back in September --
16 and I think spoke about this a little bit earlier
17 -- advising them with a copy of the letter from
18 the Park Service that they had up until October
19 30th or 31st of 1999 to renew, and I got a
20 response, I think, from one or two. And that's
21 not the right way.

22 My job isn't too notify them, but I was
23 trying to say, All you're doing is feeding into
24 the opposition, or to the people who are against
25 what you're doing by ignoring everything. You

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2 can't ignore 'em. I have a constituency out
3 there, in addition to the business community, who
4 reside in those communities, and they pay the
5 highest real-estate taxes in the City of
6 Philadelphia, and they have issues when a carriage
7 is going up their street the wrong way, or the
8 carriage guy is blocking traffic and shouldn't be
9 out there when the regs say you shouldn't be
10 there. 'Cause they look to me, they look to me
11 for, Well, how do you allow this to happen.
12 Councilman?

13 And, you know, I don't want to be on --
14 I mean, there are always exceptions to the rule,
15 there's always an excuse, and you say, Well, I
16 just left, you know, a group of people off and I'm
17 on my way back. But I know. I mean, I'm a street
18 guy and I know what goes on out there.

19 MR. AHMED: Excuse me.

20 COUNCILMAN DICICCO: Let me finish.
21 They just want to continue -- for the most part,
22 from what I've seen, is there are a certain group
23 of people out there that just want to ignore that,
24 and I've asked the questions. When I'm on Market
25 Street on a Friday evening at 5 o'clock traveling

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2 east and the carriage is in the left-hand lane,
3 traveling east, and cars and buses are trying to
4 get past, that's a dangerous situation.

5 We talk about road rage. I mean, it's
6 amazing, and I've said this before, that it's
7 amazing that nothing more serious has happened.
8 And I'll ask the question, you know, What are you
9 here for? I got this big City car, you know, with
10 an emblem on it, for whatever that means, and I
11 say, "Why are you out here?" You know, and I'm
12 being told things or I get hand signals and, you
13 know, that certainly doesn't sit well with me
14 because I don't want them to go away, I don't want
15 it to go away. I want it to work.

16 But there are regulations and I implore
17 everybody who's listening that whatever we come
18 out with in the next week or two, they are going
19 to be the regulations, and we do mean business.
20 We're not going to be playing around. Thank you.

21 Do you have something else to say?

22 MR. AHMED: Yeah. After I got your
23 letter, we tried to make appointment with you to
24 see you. We couldn't have a chance.

25 COUNCILMAN DICICCO: Did you --

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2 MR. AHMED: But many time, we call your
3 secretary.

4 COUNCILMAN DICICCO: I know what you're
5 saying, but understand, having an appointment with
6 me doesn't take away from the fact that you had to
7 renew your license someplace else. I don't
8 control that; that's the Park Service.

9 MR. AHMED: No, no. I'm talking about
10 why when we get the letter, we try to explain to
11 you our side, but nobody answers.

12 COUNCILMAN DICICCO: I understand.

13 MR. AHMED: And you understand it.

14 COUNCILMAN DICICCO: But a license was
15 required by the Park Service. Whether you came to
16 see me or not was not going to dismiss the fact
17 that you had to have a license.

18 I understand that you were going to
19 speak to me about the fee structure and how much
20 of an imposition financially it was to you, but I
21 don't make the regulations for the Park Service, I
22 don't do the licensing there. You know, you could
23 have seen me twenty times in that two-week period,
24 but you still had to go to the Park Service to get
25 a license.

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2 But thank you for coming today.

3 MR. GOLDSMITH: Thank you very much.

4 COUNCILMAN DICICCO: Thank you.

5 Is there anyone else here wishes to

6 testify? Yes, ma'am, please come forward.

7 (Witnesses come forward.

8 MS. AHARONIAN: Hi. I'm going to make

9 it short. My name is Violet Aharonian.

10 COUNCILMAN DICICCO: Would you spell

11 the last name, please.

12 MS. AHARONIAN: A-H-A-R-O-N-I-A-N.

13 Grab that one.

14 (Laughter.)

15 COUNCILMAN DICICCO: Thank you.

16 Proceed with your testimony.

17 MS. AHARONIAN: Okay. I am going to

18 testify altogether different than what I had in

19 mind simply because there's a conflict of

20 statistics here-- mine versus theirs. So if this

21 session is going to go into next week, then I will

22 have my statistics.

23 COUNCILMAN DICICCO: No, what will

24 happen is, this hearing will be -- we will end

25 this hearing, we will go into the public meeting,

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2 and that will be the final decision by the
3 committee as to whether there are amendments, does
4 the bill get passed, and it's --

5 MS. AHARONIAN: Okay, which means that
6 I will be unable to --

7 COUNCILMAN DICICCO: You can send it to
8 us.

9 MS. AHARONIAN: Send it to you? Very
10 good, excellent.

11 COUNCILMAN DICICCO: And address it to
12 the chair of the committee.

13 MS. AHARONIAN: Because I do not have
14 the --

15 COUNCILMAN DICICCO: Okay. Address it
16 to the Chair of the committee, Councilman Mariano,
17 and he will see that all members of the committee
18 get a copy of your testimony.

19 MS. AHARONIAN: Okay, I appreciate
20 that.

21 COUNCILMAN DICICCO: And one of his
22 staff members is giving you this information.

23 MS. AHARONIAN: Okay. In the meantime,
24 I wanted to say -- several of you Councilman
25 asked, had any horses died on the streets? I have

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2 something here, which I wrote to the Daily News
3 back in '95, I think it is, and they gave my
4 letter a beautiful exposure, except for one thing
5 -- I told them that two recent horses had
6 recently died, that two carriage horses had
7 recently died in New York, and I put the dates,
8 but for whatever reason, they left it out. They
9 had edited it -- they left it word for word except
10 that they removed the dates.

11 COUNCILMAN DICICCO: Now, you know what
12 we go through so don't believe everything you read
13 about what they say that we said.

14 MS. AHARONIAN: Okay, okay. The only
15 thing they removed were the two dates that the
16 horses died on the streets of New York.

17 COUNCILMAN RIZZO: Could I just
18 comment?

19 MS. AHARONIAN: Certainly.

20 COUNCILMAN RIZZO: We have had
21 incidences here in Philadelphia where Philadelphia
22 police horses have died on the street.

23 MS. AHARONIAN: Police horses?

24 COUNCILMAN RIZZO: We have Philadelphia
25 police horses that were involved in accidents and

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2 had died, so I just want to make sure you
3 understand that just because two horses --

4 MS. AHARONIAN: No, I'm talking about
5 carriage horses.

6 COUNCILMAN RIZZO: Yeah, but what I'm
7 getting at is, I don't know of any carriage horses
8 that died. We've had some police horses that have
9 been injured and died in the line of duty in the
10 City of Philadelphia. So it's not just exclusive
11 to the carriage-horse industry.

12 MS. AHARONIAN: Oh, absolutely, I
13 understand that.

14 Now, I wanted to say one thing, which
15 is not -- it's not about a carriage horse, but
16 it's recent, it just came out from Eric Hendricks,
17 a picture of a horse -- not a carriage horse --
18 who -- where a cherry bomb up on Erie Avenue
19 exploded. The horse bucked or whatever -- bolted,
20 the horse bolted and dropped dead. That can
21 happen on Market Street, Chestnut Street or Walnut
22 Street.

23 Have you ever looked in the eyes of --
24 I live way out of town, I don't even live in
25 Philadelphia but I drop a lot of money in

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2 Philadelphia. I knew I'd get the head shake.

3 Let me ask you something. After late
4 in the evening, have you ever looked into the eyes
5 of a carriage horse? Trust me, do it one day
6 unless you want to -- I beg your pardon?

7 COUNCILMAN RIZZO: They're weary,
8 tired.

9 MS. AHARONIAN: Weary?

10 COUNCILMAN RIZZO: I would agree. Ten
11 hours on the road is a long time.

12 MS. AHARONIAN: Your vernacular is so
13 subtle. Believe me, it's sad. And I love
14 animals, horses, whatever. But when you look in
15 the eyes of these carriage horses, why -- let me
16 ask you, why is it that some cities have banned
17 them entirely altogether? They have banned
18 carriage horses and there are cities whose
19 temperature they have dropped down as low as 85.
20 Now, that's not a lot of statistics but that I
21 know for a fact.

22 But we -- we don't even need carriage
23 horses here. We have -- I know you don't want to
24 hear it, but we have money coming in the billions
25 annually. Why do we have to depend on carriage

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2 horses for an income to the City of Philadelphia,
3 why? A lot of cities have banned carriage horses,
4 a lot. Not one two, three, or four, a lot. And
5 the ones which have not banned carriage horses
6 have temperature ratings as low as 85 degrees.

7 And then with these ball bearings, if
8 they're so great, why don't they pull 'em
9 themselves?

10 (Laughter.)

11 MS. AHARONIAN: If they're so great,
12 hey, I would do it, only I have four metal rods in
13 my back.

14 COUNCILMAN RIZZO: I don't think the
15 carriage horse -- I think there's something --
16 when I went to New York a few years ago, I know
17 one of the things that I wanted to do was --

18 MS. AHARONIAN: I'm sorry?

19 COUNCILMAN RIZZO: I think that it's
20 beyond just riding in a carriage, I think there's
21 something about being drawn by a horse that's --
22 it's romantic, it's all of the things that people
23 like to do and they don't do it every day of their
24 life. They come from a town or a place that
25 doesn't have carriages or horses, and people are

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2 excited about it. And I think it adds something
3 to the City. I can't imagine that you think that
4 they should be banned.

5 MS. AHARONIAN: No, if were up to me,
6 we would have no -- then, in that case, you can
7 argue with all the other cities which have banned
8 carriage horses and --

9 COUNCILMAN RIZZO: Well, they might not
10 have smart elected officials.

11 MS. AHARONIAN: Is what is that what it
12 is?

13 COUNCILMAN DICICCO: Wait till you see
14 my ayes around 10 o'clock 'cause I have a
15 community meeting after this.

16 (Laughter.)

17 MS. AHARONIAN: Can I just say one more
18 thing? I think it went over your heads. These
19 ball bearings, if they're so great, I would pull
20 it myself but I have four metal rods in my back so
21 I don't think I'd be very good at it.

22 COUNCILMAN DICICCO: Thank you. Thank
23 you for your testimony. Thank you for waiting.

24 MS. AHARONIAN: Thank you.

25 COUNCILMAN DICICCO: Sir, if you want

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2 to speak, you have to come up to the table.

3 (Witnesses come forward.)

4 MS. AHARONIAN: Thank you for
5 listening.

6 COUNCILMAN DICICCO: Good afternoon.
7 Please identify yourself for the record.

8 MR. METIVIER: My name is Jason
9 Metivier. That's M-E-T-I-V-I-E-R.

10 I'm not currently a carriage driver;
11 I'm a trainee with the Philadelphia Carriage
12 Company. And I got the job after I had heard
13 about the problems with the other carriage
14 companies.

15 And I have two roommates -- I live in
16 Philadelphia, and I have two roommates who are
17 vegans, they're animal activists, they're
18 vegetarians. And when I told them that I had an
19 interest in this job, they were sickened, they
20 were pretty mad at me.

21 COUNCILMAN DICICCO: You're no longer a
22 roommate, right?

23 MR. METIVIER: No, no, I'm still a
24 roommate. The thing I told them, the reason I
25 wanted the job, I figured if every carriage

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2 company in the City was as bad as this one or two
3 that were making the headlines, that I would be
4 the one good driver, I would be the one nice guy,
5 I would be the one guy who, like, gave a damn
6 about the horses or whatever.

7 I was wrong. I'm not the one nice
8 guy. I go out in the street every day training
9 and I see people who really, really care about
10 these horses. They see their horse break a sweat,
11 their horse gets water. They see a horse that,
12 you know, needs to be in the shade, the horse goes
13 in the shade. I just see people caring about
14 animals. I don't see slave drivers working the
15 horses, whipping them into a trot. I see people
16 slowing down the horses.

17 And I just felt that someone who
18 actually has cared about the animals, that they
19 should get up here and say something.

20 COUNCILMAN DICICCO: Thank you, and I
21 know you've been here all day so I appreciate you
22 sticking around. Thank you.

23 Please identify yourself for the
24 record.

25 MS. TAYLOR: Yeah. My name is Jennifer

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2 Taylor, and I work for Philadelphia Carriage
3 Company. And I would just like to say that I
4 would never work for company that was cruel to
5 their horses, and I ride horses and I love
6 horses. And the horse that I drive I love, and I
7 would never --

8 COUNCILMAN DICICCO: How long working
9 have you been working for them?

10 MS. TAYLOR: I've been working there
11 since December 11th.

12 COUNCILMAN DICICCO: Of '99?

13 MS. TAYLOR: Yes.

14 COUNCILMAN DICICCO: Did you ever work
15 in the carriage industry before that?

16 MS. TAYLOR: No. I never would because
17 I thought that it was, you know, cruel to horses
18 -- until I actually went down and I got the job
19 and realized that they weren't cruel to the
20 horses.

21 COUNCILMAN DICICCO: Have you owned
22 your own horses?

23 MS. TAYLOR: No, I just ride.

24 COUNCILMAN DICICCO: Have you been
25 riding long?

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2 MS. TAYLOR: Oh, about five years.

3 COUNCILMAN DICICCO: Thank you.

4 Any questions for these witnesses?

5 (No questions.)

6 COUNCILMAN DICICCO: Is there anyone
7 else here who wishes to testify?

8 (No response.)

9 COUNCILMAN DICICCO: This concludes
10 today's hearing, which will be recessed to the
11 call of the Chair.

12 We don't have a date for you yet but,
13 apparently, Councilman Mariano's assistant tells
14 me it will probably the last week in May. You
15 will be notified. And that will give us enough
16 time to vote the bill out of committee and have
17 some finality to the bill by the end of the
18 session, June 22nd.

19 (Adjourned at 6:00 p.m.)

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RE: COUNCIL COMMITTEE ON LICENSES and INSPECTIONS

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BILL NO. 000217

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JOSEPHINE CARDILLO,

Registered Professional Reporter