

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON LICENSES AND INSPECTIONS

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, October 22, 2014
2:20 p.m.

PRESENT:

COUNCILWOMAN MARIA D. QUINONES-SANCHEZ, CHAIR
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN BOBBY HENON
COUNCILMAN ED NEILSON
COUNCILMAN DENNIS O'BRIEN
COUNCILMAN DAVID OH

BILLS 120297, 140055, 140608, and 140723

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COUNCILWOMAN SANCHEZ: Good

3

afternoon. The Committee on Licenses and

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Inspections hearing will begin, having

5

established a quorum. To my far left is

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Councilman O'Brien, although he's not a

7

member of the Committee but the sponsor

8

of some of the major pieces we'll be

9

discussing today, Councilman Neilson,

10

Councilman Greenlee, and Councilman Oh.

11

So having established a quorum, we will

12

begin our hearings.

13

For the purposes of

14

information, I want folks to know that

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Bill 120297 is being held. We are not

16

going to take public testimony, although

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if anyone has written testimony that they

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would like to submit, we will put it in

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the record.

20

We're going to begin with a

21

smaller bill so then we can get to the

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business at hand, and that is Bill

23

140723. And so, Rebecca, if you want to

24

get started with that. We'll take

25

testimony for Rebecca Swanson from the

1 10/22/14 - L&I - BILL 140055, etc.

2 Department of License and Inspection.

3 I'm sorry. Hold on a second.

4 Matt, can you read Bill 140723.

5 THE CLERK: An ordinance
6 amending Title 4 of The Philadelphia
7 Code, entitled "The Philadelphia Building
8 Construction and Occupancy Code," by
9 amending Subcode "PM" (The Philadelphia
10 Property Maintenance Code), by adding the
11 Tenth Councilmanic District to the list
12 of areas covered by certain building
13 standards, all under certain terms and
14 conditions.

15 COUNCILWOMAN SANCHEZ: Thank
16 you.

17 And I want to recognize that
18 Councilman Henon has also joined the
19 Committee.

20 So if we can start with Rebecca
21 for the easier one.

22 MS. SWANSON: Good afternoon,
23 Chairwoman Sanchez and members of the
24 Committee on Licenses and Inspections.
25 My name is Rebecca Swanson. I am the

1 10/22/14 - L&I - BILL 140055, etc.

2 Director of Policy and Legislative
3 Affairs for the Department of L&I. Today
4 I'm here to provide testimony on Bill No.
5 140723, which, if enacted, will amend
6 sections of The Property Maintenance Code
7 to add the Tenth Councilmanic District to
8 the list of designated areas subject to
9 specific building standards identified in
10 PM Section 804.

11 The Department of Licenses and
12 Inspections offers no objection to the
13 enactment of this bill and is prepared to
14 enforce its provision should it pass in
15 Council and become law.

16 Thank you for the opportunity
17 to provide the Department's testimony,
18 and I will be happy to answer any
19 questions at this time.

20 COUNCILWOMAN SANCHEZ: Any
21 questions from the Committee?

22 (No response.)

23 COUNCILWOMAN SANCHEZ: Seeing
24 none, thank you.

25 MS. SWANSON: Thank you.

1 10/22/14 - L&I - BILL 140055, etc.

2 COUNCILWOMAN SANCHEZ: We will
3 now go to -- are the Commissioners okay
4 with timing if I do 608 before I do the
5 big bill? Are you guys okay with time?
6 We only have three folks testifying with
7 Bill 140608.

8 Can you read the title of the
9 bill.

10 THE CLERK: An ordinance
11 amending Title 4 of The Philadelphia Code
12 (The Philadelphia Building Construction
13 and Occupancy Code), Subcode A (The
14 Philadelphia Administrative Code) and
15 Subcode PM (The Philadelphia Property
16 Maintenance Code), by amending
17 requirements applicable to vacant
18 premises, all under certain terms and
19 conditions.

20 COUNCILWOMAN SANCHEZ: Rebecca.

21 MS. SWANSON: Good afternoon,
22 Chairwoman Sanchez and members of the
23 Committee on Licenses and Inspections.
24 My name is Rebecca Swanson. I am the
25 Director of Policy and Legislative

1 10/22/14 - L&I - BILL 140055, etc.
2 Affairs for the Department of L&I. Today
3 I am here to provide testimony on Bill
4 No. 140608, which, if enacted, will make
5 alterations to sections of The Property
6 Maintenance Code that address vacant
7 commercial buildings and the associated
8 license.

9 Specifically, the bill expands
10 the criteria for the accepted security
11 required for the issuance of a vacant
12 commercial property license to include a
13 cash deposit. The bill also redefines
14 large vacant commercial and industrial
15 properties as buildings greater than
16 5,000 square feet.

17 The Department of Licenses and
18 Inspections offers no objection to the
19 enactment of this bill, as proposed to be
20 amended, and is prepared to enforce its
21 provisions should it pass in Council and
22 become law.

23 Thank you for the opportunity
24 to provide the Department's testimony,
25 and I will be happy to answer any

1 10/22/14 - L&I - BILL 140055, etc.

2 questions at this time.

3 COUNCILWOMAN SANCHEZ: Any

4 questions from the Committee?

5 (No response.)

6 COUNCILWOMAN SANCHEZ: I have

7 Garrett O'Dwyer from PACDC and Darrell

8 Zaslow. Can you both come to the witness

9 table together.

10 (Witnesses approached witness

11 table.)

12 MR. ZASLOW: Madam Chairman,

13 members of the Committee, thank you very

14 much for the opportunity to be here. My

15 written testimony -- I'm sorry. Darrell

16 Zaslow, HAPCO.

17 Madam Chairman, my written

18 testimony raised some concerns regarding

19 a provision of the bill as I previously

20 had it talking about consent to

21 inspection, and it purported to require

22 that a landlord give pre-permission to

23 the City to allow inspections to occur of

24 properties. We had concerns regarding

25 the rights of landlords, the rights of

1 10/22/14 - L&I - BILL 140055, etc.
2 tenants. I gave you a copy of a document
3 from a newspaper article, which I
4 apologize for mere newspaper articles
5 citing law, but that's what I could grab
6 at the moment. In having a copy of the
7 bill as proposed to be amended, it
8 appears to be that you've taken it out.
9 So that being the case, I will take no
10 further time of the Committee regarding
11 that issue.

12 COUNCILWOMAN SANCHEZ: Okay.
13 Thank you.

14 MR. O'DWYER: Good afternoon
15 and thank you for the opportunity to
16 testify. My name is Garrett O'Dwyer and
17 I'm the Policy and Communications
18 Associate for the Philadelphia
19 Association of Community Development
20 Corporations.

21 We believe that it's important
22 that Philadelphia compel owners of large
23 vacant commercial and industrial
24 properties to guarantee the safety of
25 their buildings and that the City is not

1 10/22/14 - L&I - BILL 140055, etc.
2 held liable to expend scarce resources to
3 remediate code violations or significant
4 structural problems without being
5 compensated by the owner. But it's also
6 important that the City be flexible in
7 the way that it achieves this to ensure
8 enforcement and compliance. So we
9 applaud Chairwoman Quinones-Sanchez for
10 taking action to increase the ways in
11 which building owners can be compliant to
12 include deposits.

13 As a membership organization
14 representing community development
15 corporations across Philadelphia, we
16 believe that the code could be further
17 amended to ensure that an unnecessary
18 burden is not placed upon non-profit
19 developers and scarce public resources.
20 A CDC acquiring large vacant commercial
21 and industrial properties for
22 rehabilitation would not generally take
23 ownership of the property until all
24 financing commitments have been made on
25 the state and local level and

1 10/22/14 - L&I - BILL 140055, etc.
2 construction is imminent. This is much
3 different than a private developer who
4 may acquire property with neither the
5 resources to develop nor a timeline in
6 which they plan to do so. Moreover, the
7 financing a CDC would use to pay a
8 deposit or other such security on a
9 property would invariably come from
10 public sources. It is simply not an
11 efficient use of the stretched and
12 limited resources that the City has
13 available for the critical development
14 work that CDCs do to tie up or
15 unnecessarily expend these resources when
16 construction is imminent.

17 We would, therefore, like to
18 suggest that the City waive the
19 conditions for a license in the code
20 requiring the posting of a bond, deposit
21 or other security for non-profit
22 developers that receive state, federal,
23 and/or local funding allocations for
24 developments upon which construction is
25 imminently slated to proceed.

1 10/22/14 - L&I - BILL 140055, etc.

2 Thank you very much, Chairwoman
3 Sanchez, and to the Committee for
4 allowing me the opportunity to testify.

5 COUNCILWOMAN SANCHEZ: Thank
6 you for your testimony.

7 Any questions from the
8 Committee?

9 (No response.)

10 COUNCILWOMAN SANCHEZ: Okay.
11 So we will move on now, if the Clerk can
12 read the title of Bill No. 140055.

13 THE CLERK: An ordinance
14 amending Title 4 of The Philadelphia
15 Code, entitled "The Philadelphia Building
16 Construction and Occupancy Code," by
17 amending Subcode F (The Philadelphia Fire
18 Code), by adding certain provisions
19 related to fire safety and prevention and
20 inventory of vacant building or
21 structures; by adding certain provisions
22 related to databases and website
23 information of vacant properties; by
24 adding certain provisions related to the
25 creation, powers, and duties of a vacant

1 10/22/14 - L&I - BILL 140055, etc.
2 property task force; by adding certain
3 enforcement powers; and other related
4 items; all under certain terms and
5 conditions.

6 COUNCILWOMAN SANCHEZ: Thank
7 you.

8 Before we begin to take
9 testimony on this bill, I'm going to ask
10 the bill's sponsor for some opening
11 remarks.

12 COUNCILMAN O'BRIEN: Thank you,
13 Councilwoman Sanchez.

14 Bill No. 140055 seeks to amend
15 The Philadelphia Fire Code by
16 establishing a protocol for dealing with
17 large vacant commercial and industrial
18 properties in the City of Philadelphia.

19 Fires at large vacant buildings
20 are killers in more ways than one. Not
21 only do these blazes cause more
22 firefighter injuries and death than any
23 other property classification, they also
24 damage nearby homes and businesses and
25 destroy the fabric of the community.

1 10/22/14 - L&I - BILL 140055, etc.

2 Whether the buildings are
3 abandoned or vacant, more than 70 percent
4 of the fires occurring in them are
5 incendiary or suspicious. They are
6 targets for kids, vandals, and squatters.
7 Large vacant properties put firefighters
8 at extra risk. Stripped of wiring,
9 pipes, and other components for scrap,
10 they often contain man traps created from
11 open shafts or pits that allow fires to
12 rapidly spread.

13 On April 9th, 2012 at 3:13
14 a.m., a fire broke out in an abandoned
15 five-story 80,000 square foot hosiery
16 warehouse at York and Jasper Streets.
17 The warehouse covered more than half a
18 block. The original structure was built
19 in the 1880's and had several additions
20 added over time. The unsecured,
21 dilapidated, and abandoned building was a
22 known home to dozens of squatters,
23 frequent drug users, and prostitutes.

24 The Philadelphia Fire
25 Department pulled five alarms and the

1 10/22/14 - L&I - BILL 140055, etc.
2 fire was placed under control after a
3 little more than two hours, 29 minutes
4 after the fire started. Four
5 firefighters battling an extension of
6 flames into an adjoining furniture
7 business became trapped in a collapse.
8 Lieutenant Robert Neary, 60 years of age,
9 and Firefighter Dan Sweeney, 25, both of
10 the Fire Department's Ladder 10 station,
11 died when a wall collapsed and buried
12 them. Two other firefighters survived,
13 but were injured in the collapse.

14 In the immediate aftermath of
15 this terrible tragedy, I was
16 independently approached by many current
17 and past members of the Philadelphia Fire
18 Department. They illuminated some of the
19 issues facing our Fire Department with
20 these types of structures and possible
21 solutions to the problems. Later that
22 spring, it was announced that the
23 National Institute for Occupational
24 Safety and Health, NIOSH, and a
25 Philadelphia District Attorney's Office

1 10/22/14 - L&I - BILL 140055, etc.
2 grand jury were launching investigations
3 into the fire incident. To date, neither
4 the City of Philadelphia or the Fire
5 Department has conducted an investigation
6 or post-incident critique.

7 In the autumn of 2012, my staff
8 and I began to do research to pursue
9 legislative remedies to prevent future
10 tragedies. The International Association
11 of Arson Investigators and the U.S. Fire
12 Association's Abandoned Building Project
13 Toolbox served as the starting point to
14 draft legislation. Additionally, we
15 conferred with fire and building experts
16 during the drafting process.

17 NIOSH is housed within the
18 Centers for Disease Control and
19 Prevention, which is the federal agency
20 responsible for researching and
21 recommending preventative action to
22 reduce work-related injury and illness.
23 The NIOSH Firefighter Fatality
24 Investigation and Prevention Program
25 selectively conducts independent

1 10/22/14 - L&I - BILL 140055, etc.
2 investigations of fires where
3 firefighters are seriously injured or
4 killed and then offers recommendations in
5 a published report.

6 On November 19th, 2013, NIOSH
7 published their investigative findings,
8 contributing factors to the deaths of
9 Lieutenant Neary and Firefighter Sweeney,
10 and 16 recommendations to prevent similar
11 firefighter deaths in the future. I
12 believe this legislation addresses the
13 NIOSH recommendations relating to
14 securing, inspecting, marking, and
15 systemically tracking large vacant
16 properties.

17 I respectfully ask that the
18 NIOSH Firefighter Fatality Investigation
19 and Prevention Report for year 2012-2013
20 be entered into this hearing's record.

21 The week after I introduced
22 this legislation, the Philadelphia
23 District Attorney's Office released a
24 grand jury investigative report on the
25 fire. The grand jury buttressed my

1 10/22/14 - L&I - BILL 140055, etc.
2 stated need for this legislation and made
3 explicit mention of the bill three times,
4 on Pages 102, 107, and 110, in its final
5 report.

6 Madam Chair, I respectfully ask
7 that the Philadelphia grand jury
8 investigative presentment on the York
9 Street fire be entered into this
10 hearing's record.

11 Last month, Mayor Nutter's Blue
12 Ribbon Commission issued a report
13 revealing the work of the Department of
14 License and Inspections. The report
15 specifically noted the bill by stating,
16 quote, "Bill 140055 currently pending in
17 the City Council Committee on Licenses
18 and Inspections is a strong step towards
19 a very comprehensive interagency response
20 to the vacancy challenge. The Commission
21 supports Bill 140055. Its passage would
22 be a major contribution to public policy
23 and safety."

24 I respectfully ask that the
25 Special Independent Advisory Commission

1 10/22/14 - L&I - BILL 140055, etc.
2 to review and evaluate the Philadelphia
3 Department of Licenses and Inspections'
4 report titled "Safety First and Foremost"
5 be entered into the hearing's record.

6 My staff and I have been
7 working on this bill with the Fire
8 Department, L&I, Local 22, national and
9 local fire and building experts, the
10 office of Councilwoman Sanchez, the
11 Office of Innovation and Technology, the
12 Law Department, the Deputy Mayor for
13 Public Safety, and Mayor Nutter's
14 legislative staff. My approach has been
15 inviting and inclusive to get this
16 measure to an appropriate place. This is
17 most reflected in the 19 different areas
18 of Bill No. 140055 where we have amended
19 the language to address concerns and
20 incorporate suggestions of the
21 Administration.

22 I will now speak about the
23 bill. There are four main pillars to
24 this legislation. First, a Vacant
25 Property Task Force will be created. The

1 10/22/14 - L&I - BILL 140055, etc.

2 Task Force shall oversee the creation and
3 maintenance of the vacant property

4 inventory and vacancy property database

5 that identifies and prioritizes for

6 inspection all large commercial and

7 industrial vacant properties in the City.

8 The Task Force will consist of a

9 wide-ranging list of stakeholders. They

10 will be responsible for publishing

11 periodic reports about their work and

12 another report outlining how the City

13 should inspect all residential

14 properties.

15 The second pillar is the

16 creation of a vacant property inventory.

17 It will be an in-depth inventory of all

18 large vacant properties in the City. It

19 will contain property-specific

20 information, including street address,

21 GPS coordinates, type of property, action

22 plan for inspection, evaluation, and

23 pre-fire planning and other information

24 the Task Force deems appropriate.

25 Properties will be listed in priority

1 10/22/14 - L&I - BILL 140055, etc.
2 order for inspections and reinspections
3 by the joint inspection team.

4 The third pillar will be the
5 utilization of a joint inspection team.
6 The two-person teams will be comprised of
7 one employee from the Department of
8 Licenses and Inspections and one from the
9 Fire Department's Code Enforcement
10 Office. Together, they will conduct
11 systemic risk assessments and inspections
12 of all buildings identified by the Vacant
13 Property Task Force. Members of the
14 joint inspection team will be pro-Board
15 certified to the Fire Inspector 1 level
16 of qualification in accordance the
17 National Fire Protection Association
18 standards.

19 If a structure is safe for
20 interior inspection, a pre-fire floor
21 plan, including photographs and
22 structural conditions, shall be developed
23 to aid in future incident responses.
24 Overall, building risk threats will be
25 determined for identification with an

1 10/22/14 - L&I - BILL 140055, etc.
2 exterior marking placard. All
3 information obtained from inspections
4 will be entered into the vacant property
5 database. When all vacant properties
6 have been inspected, the Vacant Property
7 Task Force shall establish a periodic
8 reinspection schedule.

9 And the fourth and final pillar
10 creates a vacant property database. It
11 will be a searchable computer database of
12 information and properties that shall
13 include a list of all properties by
14 address and GPS coordinates, property
15 designation, code violations, pre-fire
16 plan, floor plan, placard designation,
17 and other information. This data will
18 come from the Vacant Property Task Force
19 joint inspection team and other code
20 enforcement action.

21 Finally, the Vacant Property
22 Task Force will start to work as a pilot
23 in the 7th Councilmanic District of the
24 City. This section of the City has the
25 highest concentration of vacant mills,

1 10/22/14 - L&I - BILL 140055, etc.
2 factories, and manufacturing complexes.
3 Subsequently, it has a chronic problem of
4 large-scale multi-fire alarms, including
5 one just a few weeks ago. Once the pilot
6 is complete, citywide implementation will
7 take place.

8 I believe this long overdue
9 legislation will reduce firefighter and
10 community risks presented by large vacant
11 commercial and industrial properties.

12 Thank you, Councilwoman
13 Sanchez. And if I can, the National
14 Institute for Occupational Safety and
15 Health has submitted written testimony
16 for Bill No. 140055. Unfortunately, a
17 representative was unable to come up from
18 Washington, DC for our hearing, so I
19 respectfully ask that NIOSH testimony
20 titled "Vacant Properties or Structures:
21 Occupational Risks for Firefighters" be
22 entered into this hearing's record.

23 COUNCILWOMAN SANCHEZ: It will
24 be done. Thank you. And so that will be
25 the testimony of Christopher Naum. Is

1 10/22/14 - L&I - BILL 140055, etc.
2 that the one we're talking about?

3 COUNCILMAN O'BRIEN: Yes. Oh,
4 no, no, no. That's different testimony.
5 Mr. Naum is here.

6 COUNCILWOMAN SANCHEZ: All
7 right. Just making sure. Okay.

8 Any other opening statements
9 from anybody else on the Committee?

10 (No response.)

11 COUNCILWOMAN SANCHEZ: Seeing
12 none, at the request of the bill sponsor,
13 we're going to have Christopher Naum
14 testify first, and then immediately
15 following the Administration we'll have
16 the DA's Office. So can Christopher Naum
17 and Edward McCann from the District
18 Attorney's Office proceed to the witness
19 table. We'll start with Mr. Naum and
20 then Mr. McCann.

21 I'm sorry. For the record,
22 Councilwoman Bass has joined the
23 Committee.

24 (Witnesses approached witness
25 table.)

1 10/22/14 - L&I - BILL 140055, etc.

2 COUNCILWOMAN SANCHEZ:

3 Mr. McCann, the bill sponsor has asked
4 that you begin and then Mr. Naum. Thank
5 you.

6 MR. NAUM: Good afternoon. My
7 name is Christopher J. Naum. I'm taking
8 this opportunity to submit testimony on
9 proposed Bill No. 140055 amending Title 4
10 of The Philadelphia Code, entitled "The
11 Philadelphia Building Construction and
12 Occupancy Code," amending Subcode 4.

13 As a 39-year fire service
14 veteran, I am directly involved in a
15 variety of multi-disciplined professional
16 venues, capacities, and positions of
17 authority or influence addressing a broad
18 range of U.S. fire service issues at the
19 local, state, and national levels.

20 I have served in a variety of
21 capacities as a fire service officer,
22 commander, instructor, author, architect,
23 fire protection engineer, professor, and
24 national lecturer that have included a
25 variety of support services, including

1 10/22/14 - L&I - BILL 140055, etc.
2 Vice President of the International
3 Society of Fire Service Instructors, the
4 Board of Directors of the International
5 Association of Fire Chief's Safety,
6 Health and Survival Section, Firefighter
7 Safety Advocate of the National Fallen
8 Firefighters Foundation, an Adjunct
9 Instructor with the National Fire
10 Academy, as well as a Fire Science
11 Program Chair at the Community College
12 level. Also I have served as a technical
13 advisor and subject matter expert to the
14 National Institute of Occupational Safety
15 and Health Firefighter Fatality
16 Investigation and Prevention Program.
17 I've been a contributing editor with a
18 number of affiliated national fire
19 service publications, and I write
20 extensively in both eMedia and written
21 documents.

22 These levels of involvement and
23 interaction afford qualitative and
24 quantitative perspectives, insights, and
25 dimensions directly related to

1 10/22/14 - L&I - BILL 140055, etc.
2 stakeholder input in support and advocacy
3 for this proposed bill.

4 I submit that based upon my
5 participation as an independent technical
6 advisor and subject matter expert to
7 NIOSH, the Firefighter Safety Fatality
8 Investigation Program, especially my
9 participation directly in the
10 Philadelphia York Street investigation by
11 NIOSH, and as the author of the Building
12 Construction and Risk Profiling sections
13 of that report, as well as a contributor
14 to additional report insights and
15 recommendations, coupled with my
16 broad-based professional fire service
17 background, that the provisions of the
18 proposed bill are acceptable and highly
19 responsive, addressing the needs for an
20 integrated and unified program and the
21 first steps in effective management and
22 administration of a defined abandoned,
23 vacant, derelict buildings and large
24 vacant commercial or industrial
25 properties program.

1 10/22/14 - L&I - BILL 140055, etc.

2 In the early morning hours of
3 Monday, April 9th, 2012, Philadelphia
4 Fire Department Engine 2 was dispatched
5 to a local box alarm for a report of
6 smoke in the area in the vicinity of 1875
7 East York Ave in the East Kensington
8 section of the City.

9 The incident would eventually
10 grow in complexity and magnitude to five
11 alarms, resulting in fire communicating
12 to six other structures, threatening the
13 surrounding neighborhood and businesses,
14 and challenging the resiliency and
15 fortitude of over 350 firefighters,
16 officers, and support personnel from
17 numerous City departments and bureaus.

18 This fire ground incident was
19 mitigated, but not without tragedy and
20 sacrifice. Philadelphia Fire Department
21 Lieutenant Robert Neary, a 38-year
22 veteran, and Firefighter Daniel Sweeney
23 with six years on the job, both assigned
24 to Ladder Company 10, died in the line of
25 duty when a wall collapsed during

1 10/22/14 - L&I - BILL 140055, etc.
2 firefighting operations at this building
3 complex.

4 Subsequently on April 11th,
5 U.S. Fire Administration notified NIOSH
6 of this particular incident, and on April
7 16th of 2012, four NIOSH investigators
8 traveled to Philadelphia to conduct an
9 investigation. The NIOSH investigators
10 met with the Fire Commissioner and senior
11 staff of the Fire Department, the Fire
12 Marshal's Office, the International
13 Association of Firefighters local union,
14 City representatives from Licensing and
15 Inspection, and the Fire Communications
16 Center. Ultimately, the inspection led
17 to a review of the incident. The
18 investigators reviewed Department of
19 Licensing and Inspection records and
20 looked at incident operations, including
21 documentation of the incident. During
22 the investigation, numerous witnesses
23 were interviewed and additional data was
24 gathered.

25 On November 13th, 2013,

1 10/22/14 - L&I - BILL 140055, etc.
2 following an exhaustive and thorough
3 investigation, NIOSH and the Division of
4 Safety and the Firefighter Fatality
5 Investigation Program published their
6 report. This comprehensive 97-page
7 document identified eight contributing
8 factors and developed 16 recommendations.

9 There are many complexities and
10 inherent risks in the urban environment
11 that affect the delivery and the conduct
12 of fire suppression and rescue operations
13 that impose innumerable challenges to a
14 metropolitan fire department. The single
15 most important attribute on the fire
16 ground when dealing with a structural
17 fire is having pre-incident insights and
18 knowledge of the building and an
19 understanding of the occupancy risks and
20 insights into hazards that may influence
21 or dictate operational parameters.

22 The fire ground can be a very
23 unforgiving and hostile environment, and
24 the margin for operational error is
25 minimal at best when dealing with a wide

1 10/22/14 - L&I - BILL 140055, etc.
2 variety of building types, occupancy
3 usage, conditions, and can take a
4 standard fire department emergency
5 response in mitigation and escalate that
6 to a significantly challenging and
7 threatening incident with potential
8 adverse outcomes.

9 The overall lack of building
10 knowledge affects fire ground operational
11 integrity and personnel safety.

12 Pre-incident data, information,
13 and knowledge are vital to the effective
14 fire ground incident management,
15 mitigation, and personal safety.

16 Firefighting operations in
17 abandoned and derelict buildings and
18 occupancies present high risks and danger
19 to fire department personnel with a high
20 probability for adverse consequences and
21 outcomes.

22 A wide variety of
23 municipalities, cities, and communities
24 have adopted and enacted proactive
25 legislation and administrative policies

1 10/22/14 - L&I - BILL 140055, etc.
2 and actions to address strategies for
3 abandoned, vacant, and derelict
4 buildings. These are similar to the
5 vacant property database, inventory,
6 pre-fire plans, and provisions of this
7 bill. This bill does incorporate key
8 provisions that are consistent with
9 national consensus initiatives. They
10 address key contributing factors that
11 were recommended out of the NIOSH report
12 for the East York Avenue and, again, look
13 at projected multiple fire alarms in
14 vacant building structures, developing
15 strategies for the prevention and the
16 remediation of vacant and abandoned
17 structures.

18 As mentioned earlier, the
19 provisions of the proposed bill are
20 acceptable and are highly responsive in
21 addressing the needs for an integrated
22 and unified program and the first steps
23 in the effective management and the
24 administration of a defined abandoned,
25 vacant, and derelict building/large

1 10/22/14 - L&I - BILL 140055, etc.
2 vacant commercial or industrial
3 properties program.

4 Specifically, the following
5 points of the bill do stand out. The
6 Vacant Property Task Force is a highly
7 supportive and desired element. Crucial
8 key functional and vital elements of the
9 bill which include the vacant property
10 database, the vacant property inventory,
11 the City Solicitor's roles and
12 responsibilities, the vital building
13 information report, and the functions
14 dealing with large vacant commercial and
15 industrial properties are all key
16 elements of that bill and program. And,
17 lastly, the Fire Department and Licensing
18 and Inspection cooperative support and
19 alignment element is vital to the success
20 of any program mandate and its execution.

21 On a bright and sunny weekend
22 in June of 2014 while traveling to New
23 Jersey to lecture, I drove into
24 Philadelphia and made my way to the
25 Kensington area of the City and to the

1 10/22/14 - L&I - BILL 140055, etc.
2 inner sections of East York, Jasper, and
3 East Boston Streets.

4 I parked my truck and stood in
5 the street looking at the empty lot where
6 once stood the Thomas W. Buck Hosiery
7 building and complex and the series of
8 buildings that framed three-quarters of
9 that City block. The ground lay bare and
10 revealed no evidence of the massive
11 masonry buildings that once stood within
12 the boundaries of the sidewalks for over
13 140 years, nor the Fire Department's
14 effort and resolve that were expended on
15 the night of April 9th, 2012.

16 I walked up East Boston Street
17 to the remnants of the furniture store
18 exposure that was at risk of fire
19 extension from the adjacent
20 multiple-alarm fire being fought. Two
21 deteriorated outer wall perimeters
22 weakened from the effects of the
23 resulting structural collapse of the
24 April 2012 fire were shored and braced
25 with wood supports, framing the exposed

1 10/22/14 - L&I - BILL 140055, etc.
2 concrete floor area that once served as
3 the furniture store occupancy.

4 Now directly open to the
5 environment, this bare floor opens
6 directly and faces the empty lot once
7 occupied by the buildings that were
8 consumed by the five-alarm fire.

9 I stood with solemn reverence
10 at the floor area in which Philadelphia
11 Fire Department Lieutenant Robert Neary
12 and Firefighter Daniel Sweeney of Ladder
13 10 died while serving and protecting the
14 citizens and the physical fabric that
15 comprise this great city.

16 As a firefighter, we're sworn
17 to take a solemn oath to appreciate life
18 and property for those we are charged to
19 protect and render service within our
20 municipalities and communities and
21 neighborhoods. Firefighters and
22 commanding officers understand the
23 inherent risks and the responsibilities
24 that come with a badge and with a job.
25 However, they also understand that there

1 10/22/14 - L&I - BILL 140055, etc.
2 are levels of calculated risk, and that
3 risk must require extreme measures and
4 herald a call to duty that many outside
5 the fire service cannot understand, let
6 alone comprehend the commitment, the
7 resolve, and the unpretentious courage.

8 When those operational risks
9 that comprise a fire ground cannot be
10 readily identified, appropriately
11 assessed, effectively managed, monitored
12 and mitigated, then the resulting
13 incident outcomes may be unfavorable and
14 those fire department companies and
15 personnel may be operating at risk, the
16 least of which may lead to a debilitating
17 firefighter injury or to a line-of-duty
18 death that may have been preventable.

19 Informed incident command
20 decision-making based on reliable data
21 and sources that can be accessed and
22 measure-based on the unique circumstances
23 of an evolving emergency incident
24 significantly improve the safety margin
25 for operating fire department resources

1 10/22/14 - L&I - BILL 140055, etc.
2 and translate to improved actions.

3 If we're going to command or
4 tactically engage in a structural fire,
5 you need to understand the building,
6 because there are limited margins for
7 error at today's evolving fire ground,
8 particularly with a high risk and high
9 probability for adverse outcomes that
10 come from firefighting suppression
11 operations and firefighting in vacant and
12 abandoned buildings.

13 Standing on the concrete pad at
14 1813 East Boston Street, I thought about
15 those two brother firefighters who
16 transcended the esteemed tradition of the
17 fire service of honor, courage,
18 fortitude, and duty and who carried out
19 the professional duties as proud
20 uniformed members of the Philadelphia
21 Fire Department.

22 The only reminder of their
23 sacrifice is the bare building lot,
24 unlike the many other empty lots that
25 once occupied many a building in this

1 10/22/14 - L&I - BILL 140055, etc.
2 district and other districts that
3 constitute the City's rich heritage and
4 historical past.

5 The sacrifices made on April
6 9th, 2012 by Philadelphia Fire Department
7 Lieutenant Robert Neary and Firefighter
8 Daniel Sweeney should not have been in
9 vain.

10 Transcending this tragic
11 strategy are the lessons learned and the
12 recommendations gleaned from the pages of
13 the NIOSH report and the line-of-duty
14 death events and the initiatives
15 encompassed by proposed Bill No. 140055
16 and the provisions related to fire
17 safety, prevention, the inventory of
18 vacant buildings or structures to the
19 database, to the website information of
20 vacant properties, and to the provisions
21 to the creation of powers, duties for
22 this Task Force.

23 There is a moral and ethical
24 obligation incumbent upon each member of
25 the City Council to unanimously pass this

1 10/22/14 - L&I - BILL 140055, etc.
2 bill and for the Honorable Mayor to
3 implement these provisions with resolve
4 and judicious efforts that will afford
5 the Philadelphia Fire Department with
6 enhanced capabilities to conceivably
7 decrease fire ground operational risks
8 imposed by operations in these types of
9 structures.

10 The unified and concerted
11 efforts of the Philadelphia Fire
12 Department, the Department of License and
13 Inspections, the Vacant Property Task
14 Force, through the implementation of this
15 database, and with the continued support
16 from the City's legislative branch, the
17 executive and administrative branch will
18 enhance the public safety of
19 Philadelphia's citizens, employees,
20 visitors, and workforce.

21 The Commonwealth of
22 Pennsylvania State Fire Commissioner
23 Edward Mann has been a strong safety
24 advocate and leadership supporter of the
25 National Fallen Firefighters Foundation

1 10/22/14 - L&I - BILL 140055, etc.
2 and the International Association of Fire
3 Chief's Safety Efforts to reduce
4 firefighter line-of-duty deaths through
5 the National Fallen Firefighters
6 Foundation 16 Firefighter Life Safety
7 Initiatives Program.

8 The National Fallen
9 Firefighters Foundation Firefighter Life
10 Safety Initiative No. 3 states, Focus
11 greater attention to the integration of
12 risk management with incident management
13 at all levels, including strategic,
14 tactical, planning responsibilities of
15 which this bill strategically aligns
16 with.

17 The National Fallen
18 Firefighters Foundation and Risk
19 Reduction Program is a very powerful and
20 meaningful maximum that simply states
21 everyone goes home. Within the walls of
22 any City station and within the American
23 fire service profession, this meaning is
24 conveyed when at shift turnover the
25 firefighter's tour of duty has been

1 10/22/14 - L&I - BILL 140055, etc.
2 completed, they are able to go home.
3 However, in the context of an incident
4 resulting in a firefighter line-of-duty
5 death, not everyone from a company or
6 fire station will or can go home.

7 With the support of this
8 Council and the Council President, the
9 Mayor's Office and the support of Fire
10 Commissioner Derrick Sawyer and his
11 executive officers in the Department of
12 Licensing and Inspection and their staff,
13 the adoption and implementation of the
14 provisions of this bill related to the
15 vacant abandoned properties in the City
16 of Philadelphia will significantly
17 increase the prospects that the
18 firefighters and officers of the
19 Philadelphia Fire Department when
20 confronted with a challenging fire in a
21 vacant or abandoned building or large
22 vacant commercial and industrial property
23 will have the vital, critical building
24 information and pre-fire insight to
25 safely mitigate that incident so that

1 10/22/14 - L&I - BILL 140055, etc.

2 everyone does go home.

3 I trust that the members of the
4 City Council have read the NIOSH
5 line-of-duty death report and comprehend
6 the importance of this proposed bill and
7 ordinance.

8 I would inspire each and every
9 one of you to travel to 1813 East Boston
10 Street in the East Kensington section and
11 stand on the spot where on April 9th,
12 2012 those sacrifices were made and ask
13 yourself this simple question: Am I
14 empowered to have the authority to make a
15 difference as a representative of your
16 district's constituents, and is that
17 measurable? Can this bill make a
18 difference?

19 I would like to commend
20 Councilman At-Large Dennis O'Brien and
21 his staff for this initiative and efforts
22 in the development and promulgation of
23 this ordinance and in response to the
24 lessons learned from this tragic East
25 York Street incident, and extend my

1 10/22/14 - L&I - BILL 140055, etc.
2 appreciation for bringing to my attention
3 the extraordinary efforts that the
4 leadership of the City of Philadelphia
5 has exhibited in this community risk
6 reduction effort and the opportunity to
7 present this testimony in full support of
8 the proposed bill.

9 The firefighters of the City of
10 Philadelphia will greatly benefit from
11 this bill, as will all Philadelphians
12 from its implementation.

13 Thank you very much for these
14 considerations, and I'll entertain any
15 questions.

16 COUNCILWOMAN SANCHEZ: Thank
17 you for your testimony.

18 Are any questions from folks?
19 We'll wait for Mr. McCann.

20 MR. McCANN: Chairwoman Sanchez
21 and members of the Committee, good
22 afternoon. I appreciate the invitation
23 to testify to you today and very much
24 appreciate the efforts that you've all
25 undertaken to address the problems

1 10/22/14 - L&I - BILL 140055, etc.
2 identified in the grand jury report
3 related to the tragedy resulting from the
4 fire at the Thomas W. Buck Hosiery
5 Factory on East York Street.

6 The fire and the resulting
7 deaths of Firefighter Daniel Sweeney and
8 Lieutenant Robert Neary was an avoidable
9 tragedy. Our thoughts and prayers
10 continue to go out to the family and
11 friends of these men, and we all have a
12 fundamental duty to do what is right and
13 to make sure that this can never happen
14 again. And I think this legislation
15 represents a critical effort to do just
16 that.

17 This tragedy was the result of
18 a failure by our City government,
19 especially the Department of Licenses and
20 Inspection. Consider what the grand jury
21 found in detail.

22 The L&I inspection and
23 enforcement procedures were
24 extraordinarily lax, letting code
25 violations related to the building

1 10/22/14 - L&I - BILL 140055, etc.
2 languish literally for years.

3 L&I took no action for years
4 until neighbors joined together to
5 bombard the City with 3-1-1 complaints,
6 and even then action wasn't taken.

7 In addition to L&I, the Revenue
8 and Law Departments were equally slow in
9 dealing with years of unpaid real estate
10 taxes and water rents amassed against the
11 property.

12 Ultimately, while the City
13 delayed in taking action against the
14 building owners, the factory burned down
15 just as the neighbors had feared all
16 along.

17 As the grand jury concluded,
18 quote, "The story of York Street is one
19 of a failure of City government. The
20 York Street tragedy stands as a symbol of
21 the City's long practice of neglect," end
22 quote.

23 The legislation before you
24 today is a necessary and appropriate
25 response to this devastating event.

1 10/22/14 - L&I - BILL 140055, etc.

2 Indeed, the grand jury recommended the
3 provisions contained in this legislation.
4 Thank you for responding and trying to
5 ensure that we fix what is clearly
6 broken.

7 One of the grand jury's
8 recommendations was to ensure cooperation
9 between City departments. The grand jury
10 recommended that L&I and the Fire
11 Department work together to identify and
12 catalogue vacant and abandoned buildings,
13 as such cooperation at the time was
14 inconsistent at best. It recommended
15 that a coordinated team should inspect
16 all or at least the most troublesome
17 large, vacant, abandoned commercial or
18 industrial structures. It further
19 recommended that the City develop a
20 combined task force charged with
21 addressing building violations in large
22 vacant structures. And the grand jury
23 recommended that City departments should
24 have easy access to each other's data in
25 order to improve code and revenue

1 10/22/14 - L&I - BILL 140055, etc.
2 enforcement and to identify dangerous
3 structures.

4 It is evident in public
5 safety -- and I know all of you heard
6 this many times -- that
7 information-sharing is critical. The
8 York Street tragedy illustrates the
9 deleterious consequences of a city
10 government that does not share
11 information.

12 With regard to the underlying
13 legislation, we fully support it. It is
14 well drafted, well written, and follows
15 many of the recommendations of the grand
16 jury. We appreciate the hard work and
17 effort that has gone into this and urge
18 its speedy passage.

19 One final comment I would make
20 would be that one of the key issues that
21 I think we have to learn from this
22 tragedy is to pay attention to community
23 and citizen complaints, that they need to
24 be logged and followed up properly and
25 promptly. L&I had ignored numerous

1 10/22/14 - L&I - BILL 140055, etc.
2 complaints from community members about
3 the vulnerability of the building.
4 Instead of contacting neighbors and
5 investigating their complaints,
6 inspectors conducted cursory inspections
7 and issued unhelpful generic notices.
8 Cases were then marked resolved even
9 though they were far from resolved. L&I
10 needs to ensure that all complaints are
11 logged into an organized system and
12 address the complaints appropriately.

13 Consideration should also be
14 given to establishing a citizens advisory
15 commission so that members can help
16 ensure there is an ongoing dialogue about
17 problem buildings and the related blight.

18 And I really appreciate your
19 work on this, and I'm happy to answer any
20 questions that you might have.

21 COUNCILWOMAN SANCHEZ: Any
22 questions of the witnesses?

23 Councilman O'Brien.

24 COUNCILMAN O'BRIEN: Thank you,
25 Madam Chair.

1 10/22/14 - L&I - BILL 140055, etc.

2 Mr. McCann, you made three
3 recommendations in your testimony. One,
4 that you feel the cooperation between
5 City departments and non-City agencies
6 have a stake in vacant properties, that
7 it's important, and the reason why there
8 are so many different types of
9 stakeholders on the Task Force.

10 You made a recommendation about
11 making sure that citizen complaints are
12 followed up promptly, and you refer to
13 the importance of the communication
14 between L&I and Fire, and we attempt to
15 address those through the joint
16 inspection team and having them inspect
17 buildings together.

18 Do you feel that those
19 recommendations are appropriately
20 addressed in this legislation and your
21 presence on the Task Force can ensure
22 that they are?

23 MR. McCANN: We definitely
24 appreciate the invitation to be on the
25 Task Force and will be a full

1 10/22/14 - L&I - BILL 140055, etc.
2 participation in it, and I do think that
3 the bill addresses those issues.

4 I would just say one thing to
5 this Committee and, that is, from my own
6 experience, whomever is the chair of a
7 committee like this can really -- it can
8 really be an important person to drive
9 what the Committee does and to make sure
10 that the Task Force continues to do the
11 work that you've set out for it to do.
12 Obviously you as a Committee can have
13 these folks come and testify to you about
14 progress they're making or lack thereof,
15 and you're an important -- you bear an
16 important role for that, but I really
17 think that the chair of the Task Force is
18 a key component to it, that my own
19 experience from being part of the Act 33
20 team, which deals with the non-fatal --
21 near fatality child abuse and fatal child
22 abuse that the City has, I think it's
23 been a huge help in improving the
24 operations of the Department of Human
25 Services.

1 10/22/14 - L&I - BILL 140055, etc.

2 So I think that the fact that
3 we have had a strong chair that has led
4 us in that way and made sure that
5 recommendations that we make get followed
6 up on, I think that's really, really
7 crucial, and I would just put that out
8 there for you all as you monitor what
9 happens with this Task Force going
10 forward.

11 COUNCILWOMAN SANCHEZ: Any
12 other questions?

13 COUNCILMAN O'BRIEN: I do for
14 Mr. Naum, if that's appropriate.

15 COUNCILWOMAN SANCHEZ:
16 Absolutely.

17 COUNCILMAN O'BRIEN:
18 Specifically related, Mr. Naum, to the
19 fire on York Street, what was your role
20 in that investigation?

21 MR. NAUM: I was brought in at
22 the request of NIOSH to provide technical
23 advisement as a subject matter expert
24 dealing with building construction, risk
25 management aspects, and operational

1 10/22/14 - L&I - BILL 140055, etc.
2 issues affecting that particular
3 incident. So I primarily was the author
4 of the report sections dealing with all
5 of the facets on the building occupancy,
6 risk factors and how that related back to
7 the line-of-duty death.

8 COUNCILMAN O'BRIEN: How long
9 did that investigation take?

10 MR. NAUM: The investigation
11 commenced seven days after the incident
12 occurred. I believe on April 16th was
13 when four NIOSH investigators had their
14 boots on ground here in Philadelphia.
15 The report continued for an approximate
16 16-month period, in which further data
17 was analyzed and other information was
18 gathered. It was a very comprehensive
19 timeframe. Normally NIOSH looks to get a
20 report out within a 12-month period of
21 time. Due to the desire by NIOSH,
22 recognizing some of the very unique
23 circumstances that surrounded this
24 incident, chose to expend more additional
25 time and effort, and actually this is

1 10/22/14 - L&I - BILL 140055, etc.
2 their second-most comprehensive report
3 ever published by NIOSH. That only comes
4 on the heels of a line-of-duty death
5 report in which nine Charleston
6 firefighters lost their lives in 2007.

7 So it took about 18 months
8 total from the time in which the
9 investigation commenced to the time in
10 which the report was issued in November
11 of last year.

12 COUNCILMAN O'BRIEN: Thank you.

13 Speaking of the
14 recommendations, do you think this piece
15 of legislation speaks adequately to the
16 recommendations made in the NIOSH report
17 and, if so, which ones and how?

18 MR. NAUM: Specifically, the
19 legislation that we have before us and
20 obviously the testimony before us
21 directly relates to the primary issue at
22 hand dealing with vacant and abandoned
23 building structures. Along with that,
24 there are a number of other
25 recommendations, but one of the key

1 10/22/14 - L&I - BILL 140055, etc.
2 components of not only the lessons
3 learned out of the NIOSH report but also
4 the provisions of this bill directly
5 relate back to the type of structures
6 that pose a significant risk to the Fire
7 Department, the lack of informational
8 data that can help the Fire Department
9 and firefighters do their job, protect
10 the community and lives, and addresses
11 all of those other pertinent issues
12 directly and square on.

13 COUNCILMAN O'BRIEN: What makes
14 large vacant commercial and industrial
15 properties so inherently different than
16 any other type of vacant structure?

17 MR. NAUM: Clearly, when you
18 take a look at large vacant structures
19 and large commercial structures or those
20 that have significant risk, clearly the
21 size in themselves presents very
22 significant challenges to the Fire
23 Department. More often than not based
24 upon the size, square footage, and
25 volume, along with construction features

1 10/22/14 - L&I - BILL 140055, etc.

2 of that building, these incidents grow in
3 magnitude very quickly and go well beyond
4 the confines of the structure. So they
5 do have an inherent risk to a far greater
6 level of community risk that creates and
7 poses a significant need to identify
8 pre-incident information so that they can
9 lessen the likelihood of an incident
10 escalating to a very large loss situation
11 that may affect the City on a much larger
12 basis.

13 These structures also have
14 significant complexities that require a
15 greater degree of attention than smaller
16 sized structures of an abandoned or
17 vacant capacity. So based upon the
18 complexity, the manner in which fire will
19 impact these structures, as well as the
20 variety of different risks that come out
21 of operating in those structures, the
22 focus on these particular occupancies and
23 their related risks are appropriate and
24 certainly demand that level of attention.

25 COUNCILMAN O'BRIEN: I have a

1 10/22/14 - L&I - BILL 140055, etc.
2 three-part question. Is it normal for a
3 fire department to do their own critique
4 of a fire of the magnitude as York
5 Street?

6 Second, what is the value of
7 such a critique?

8 And, thirdly, what are the
9 component parts of an effective critique;
10 for example, the operational parameters,
11 the human performance, training,
12 knowledge, skills, is there a history of
13 repeating events, and can you speak to
14 the procedural process in training?

15 MR. NAUM: First, on the first
16 question, the implementation and use of
17 an internal critique is a generally
18 accepted practice within the American
19 fire service and actually
20 internationally, and national consensus
21 standard NFPA 1500, which deals with
22 firefighter occupational safety and
23 health, directly specifies when and how
24 an internal critique is identified and
25 what some of those components are. And

1 10/22/14 - L&I - BILL 140055, etc.
2 some of those criteria for the
3 development of an internal critique or a
4 critique in general are defined by any
5 type of a large loss or complex event or
6 certainly a firefighter fatality or
7 significant injury.

8 Additional components of that
9 when we talk about critiquing, the whole
10 emphasis of a critique internal or
11 externally provided is to identify
12 lessons learned, identify the gaps that
13 may be in place or even, more
14 importantly, identify both the positive
15 attributes of what went well, as well as
16 the gaps that may have potentially
17 impacted the operation, the firefighters
18 or the community at large. Many of the
19 attributes that come about as a result of
20 that critique look at operational
21 parameters, again, both the pluses and
22 negatives. They look at the overall
23 operation. They look at standards,
24 operating procedures, and how the
25 operation matched up with operational

1 10/22/14 - L&I - BILL 140055, etc.
2 parameters and such. They also take a
3 look at the human performance element in
4 terms of what various performance and
5 skill-based elements that the
6 firefighting force as well as other
7 support agencies may have provided.
8 They'll take a look at performance
9 against training elements, match that up
10 against what was conducted at the
11 operation, as well as other more complex
12 factors that may come into play.
13 Primarily the whole goal is to identify
14 the lessons learned and to identify areas
15 for improvement and further expand upon
16 those positive attributes that may have,
17 again, led to a favorable outcome.

18 The whole purpose is to
19 increase effectiveness, improvements, and
20 to provide lessons learned so that those
21 deficiencies that may have resulted in
22 the event are corrected through a
23 corrective action program.

24 COUNCILMAN O'BRIEN: I believe
25 it's on Page 5 of your testimony that you

1 10/22/14 - L&I - BILL 140055, etc.
2 state that the single most important
3 attribute on the fire ground when dealing
4 with a structural fire is having
5 pre-incident insights and knowledge about
6 the building and understanding the
7 occupancy risks and insights into hazards
8 that may influence or dictate the
9 operational parameters. Again, I'm
10 trying to move quickly, so I'll ask a
11 three-part question. Why is this so
12 important? Do you feel this legislation
13 helps accomplish that goal? And does the
14 collection of information, building
15 markings, and pre-fire hazard floor plan
16 help accomplish this goal?

17 MR. NAUM: First and foremost,
18 when we talk about fire department
19 operations and structures, we're talking
20 about a building. The more knowledge
21 that the fire department has of that
22 building, the easier it is to identify
23 the parameters in which the department
24 will operate to help prioritize the
25 incident parameters in which resources

1 10/22/14 - L&I - BILL 140055, etc.
2 have to be deployed. We look at the
3 protection of life, the protection of
4 property, and first and foremost is the
5 understanding of what it is that the fire
6 department is becoming engaged with.

7 Unfortunately, when we talk
8 about vacant structures and abandoned
9 buildings, the building has obviously
10 transitioned to a state of some unknown
11 condition, and when we operate in
12 occupied structures, there's normally a
13 reliance on our experience and our
14 understanding of how those buildings will
15 perform in our day-to-day operations
16 based upon company level and divisional
17 level operations. But when we're
18 confronted with buildings and conditions
19 when there's a significant unknown, then
20 that level of risk increases
21 substantially.

22 Having the availability of
23 information pre-incident helps the
24 Incident Commander to quickly determine
25 what those priorities are, identify the

1 10/22/14 - L&I - BILL 140055, etc.
2 appropriate levels of risk, and have data
3 that gives them a far greater edge on
4 ensuring that firefighter safety is more
5 on the positive side than going in there
6 blindly.

7 So it's a critical element that
8 this particular bill does address clearly
9 and explicitly in its context and within
10 the parameters of what has been defined.

11 COUNCILMAN O'BRIEN: We create
12 a task force in this legislation. Can
13 you tell us why that oversight is so
14 important?

15 MR. NAUM: The Task Force, as
16 described in the immediate testimony, is
17 crucial to the longevity, the accuracy,
18 and the completeness of this bill.
19 Without a comprehensive, unified, and
20 integrated task force that's comprised of
21 representatives from the specified
22 departments and agencies, the ability for
23 a group, let's say, to continue and to
24 have the level of reach and impact that
25 is suggested by the bill -- and it

1 10/22/14 - L&I - BILL 140055, etc.
2 certainly is crucial for the success of
3 this bill -- cannot be achieved. You
4 will have a siloed level of operation.
5 The lack of cross-disciplinary
6 communications as well described in the
7 testimony, in the report, both from NIOSH
8 as well as the grand jury, both supported
9 the need for a more clear level of
10 transparency and cross-disciplinary
11 communication. It's vital. The Fire
12 Department cannot do their job without
13 information coming from L&I as well as
14 the other associated departments. And,
15 more importantly, because of the
16 complexities with these types of
17 structures and the variation of unknowns
18 that may come about and other legal
19 aspects, the composition of that Task
20 Force is crucial to be able to prioritize
21 and possibly implement the appropriate
22 actions that are necessary with that
23 unified level of support across the
24 associated departments in the City
25 makeup.

1 10/22/14 - L&I - BILL 140055, etc.

2 COUNCILMAN O'BRIEN: I'd like
3 to speak to the inventory. The Task
4 Force has the responsibility of
5 overseeing the creation of a vacant
6 property inventory, which will be an
7 up-to-date list of all large commercial
8 and industrial properties. This list
9 will be prioritized from the most
10 dangerous and in need of inspection to
11 most secure. What benefits do you think
12 this has and why?

13 MR. NAUM: In terms of the
14 joint task force concept -- or the joint
15 inspections?

16 COUNCILMAN O'BRIEN: No; the
17 collection of the inventory.

18 MR. NAUM: The collection of
19 the data. The data itself is imperative.

20 COUNCILMAN O'BRIEN: The
21 inventory.

22 MR. NAUM: The inventory itself
23 is crucial to establish a level of
24 priority. Certainly when we take a
25 look -- and I'm certain that many of the

1 10/22/14 - L&I - BILL 140055, etc.

2 Council personnel understand that this is
3 a significant challenge to the City.

4 Understanding and going through and
5 establishing the inventory helps identify
6 the magnitude of what's before you and
7 then, more importantly, identifies the
8 level of priority that needs to be
9 attained in terms of the resources that
10 are necessary. It gives you a path to go
11 by and allows you to take a systematic
12 approach toward the efforts.

13 COUNCILMAN O'BRIEN: Now I'll
14 ask you to speak to the joint inspection
15 team. How important is it for the Fire
16 Department and L&I to work together in
17 this effort?

18 MR. NAUM: Recognizing that
19 there are significant limitations and
20 resources and time on both agencies'
21 parts, the critical element that has been
22 developed here that's embedded into the
23 bill utilizes a joint effort between the
24 Fire Department and L&I. That is crucial
25 when we take a look at the effectiveness

1 10/22/14 - L&I - BILL 140055, etc.
2 of gathering that field data in a short
3 time duration that again is -- that
4 impacts all budgets.

5 When you take a look at the
6 efforts and the insights that the Fire
7 Department personnel provide as well as
8 those by the expertise provided by L&I,
9 the cooperative elements that each group
10 brings forward in that field condition is
11 insurmountable. It really gives you a
12 level of communication and dialogue that
13 cannot be captured by identifying
14 questions after the fact back in the
15 sterile environment of the office and
16 then trying to communicate those
17 questions or rather insights back to the
18 associated group.

19 So having that cooperative
20 element in the field allows for a very
21 efficient utilization of manpower,
22 effort, and time and allows the
23 appropriate insights to be given from
24 each associated disciplines to identify
25 the elements that are necessary that will

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2 eventually be developed into the database
3 and eventually drive the pre-fire plan
4 portion of that. It's an effective use
5 of manpower.

6 COUNCILMAN O'BRIEN: And
7 speaking to the inspection aspect of the
8 bill, this legislation requires an
9 exterior risk assessment. So what
10 benefits do you see in that, and why is
11 it important to have a pre-fire hazard
12 floor plan?

13 MR. NAUM: It goes without
14 saying. When we talk about pre-incident
15 data, we're talking about having
16 information that prior to an incident can
17 be reviewed, assessed, can be planned for
18 from the Fire Department standpoint, as
19 well as utilized by a number of other
20 agencies and departments within the City
21 structure. But having that information
22 available immediately during the very
23 early stages of an evolving incident due
24 to time-critical factors is imperative
25 and is a critical element of your

1 10/22/14 - L&I - BILL 140055, etc.
2 operations.

3 COUNCILMAN O'BRIEN: Finally,
4 all the information collected from the
5 inspections goes into a database
6 accessible by all relevant City
7 departments. How critical is
8 information-sharing between City
9 departments in this area, specifically
10 between L&I and Fire in the management of
11 large vacant buildings?

12 MR. NAUM: The database itself
13 will not only directly affect and provide
14 support to the Fire Department, but all
15 of the emergency management and emergency
16 services within the City, whether you
17 look at emergency management, law
18 enforcement, other allied agencies. That
19 database will support and provide a
20 resource for a variety of other elements
21 that may not have yet even been
22 identified. But it's crucial when we
23 take a look at that information and
24 resource and move it forward as a live
25 element to be utilized in a variety of

1 10/22/14 - L&I - BILL 140055, etc.

2 fashions that you may not even understand
3 what those conditions may be presently.
4 It's a crucial factor.

5 COUNCILMAN O'BRIEN: I want to
6 thank you for coming all the way in from
7 Syracuse, New York for testimony today.

8 MR. NAUM: Thank you very much.
9 Thank you to the Council.

10 COUNCILWOMAN SANCHEZ: Any
11 other questions?

12 Councilman Neilson.

13 COUNCILMAN NEILSON: Yes, Madam
14 Chair.

15 First off, I'd like to thank
16 Councilman O'Brien on the record and his
17 staff, because his staff did a due
18 diligent and a great job coming out to
19 each one of us on the Committee and
20 explaining the concept and the importance
21 of this legislation.

22 And, Mr. Naum, I have a couple
23 questions for you, if I can, and we have
24 a lot of people coming behind you, so I
25 don't want to go on too much.

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2 You have a lot of national
3 exposure, which you explained to us in
4 your testimony. Is this legislation
5 being practiced throughout the country in
6 other cities? What's the practice that
7 you see throughout the country? Or are
8 we at the forefront of what we found or
9 identified as an issue?

10 MR. NAUM: First and foremost,
11 if you were to look at the legislation
12 and ordinances and other similar
13 attributes that are being presented here
14 in this bill, there are over 550 similar
15 ordinances or bills that are currently in
16 place through jurisdiction and
17 municipalities around the country in
18 various shapes and form. Some of them
19 are significantly less involving than
20 this bill, and I would categorize this
21 bill as almost a prototype of what an
22 ordinance would have in relationship to
23 all of the critical components that
24 formulate the four specific pillars.
25 You're utilizing a joint effort. You're

1 10/22/14 - L&I - BILL 140055, etc.
2 utilizing across-the-department support,
3 the database, as well as, more
4 importantly, I believe that the joint
5 inspection efforts are very unique to
6 this particular community. And, again,
7 based upon what I've seen personally
8 around the country, some of which is mere
9 window dressing, and that window
10 dressing -- again, if you look at your
11 own provisions of your city building
12 code, there are provisions within that
13 code that allow you to placard buildings,
14 but yet you choose not to fully embrace
15 or take advantage of those provisions due
16 to significant factors of either time,
17 resources or desire. They are embedded
18 in the existing code of record under
19 2009. Your particular bill takes those
20 and expands upon those things in a
21 variety of measures that clearly align
22 with what lessons were learned out of the
23 NIOSH report and certainly, probably
24 unbeknownst to the Councilman and the
25 rest of the Committees that are involved,

1 10/22/14 - L&I - BILL 140055, etc.

2 takes the best practices that currently
3 exist around the country and unifies them
4 in a very appropriate manner that's
5 achievable, provides economic rigor to
6 implementation of them and, more
7 importantly, really provides the
8 resources that your Fire Department needs
9 to carry out their duties and to keep
10 their firefighters safe and can also keep
11 the community safer.

12 COUNCILMAN NEILSON: And on
13 that note -- and I don't want to cut you
14 off -- in your professional opinion, does
15 this legislation, will this keep firemen
16 and the public out of harm's way?

17 MR. NAUM: Although there are a
18 lot of complexities to that answer, the
19 bottom line would be yes.

20 COUNCILMAN NEILSON: So we
21 could avoid tragedies as we saw here with
22 this full implementation of this
23 legislation?

24 MR. NAUM: There used to be an
25 adage back in the early '70s in which the

1 10/22/14 - L&I - BILL 140055, etc.
2 fire service used to use the term that
3 the building was our enemy, and that was
4 the basis of all of our training. That
5 has evolved to what I call building
6 knowledge equals firefighter safety. The
7 more knowledge that we have as a fire
8 service organization or as an emergency
9 service group across disciplinary
10 elements, the more knowledge we have of
11 our risks within the built environment of
12 our communities, the greater capabilities
13 our firefighters, law enforcement, and
14 emergency service responders may have in
15 dealing with those particular factors
16 that affect the building.

17 So, yes, this bill will
18 directly contribute to the potential to
19 further limit injuries, loss of life, and
20 other adverse events that come about
21 within these structures.

22 COUNCILMAN NEILSON: Thank you,
23 Madam Chair. I have no further
24 questions.

25 COUNCILWOMAN SANCHEZ: Thank

1 10/22/14 - L&I - BILL 140055, etc.
2 you.

3 I also want to thank you for
4 coming so far to provide us with your
5 expert testimony. It's an important
6 piece of documenting what we're doing and
7 the process, and hopefully in a year or
8 so, you can come back and evaluate how
9 we've implemented this bill and provide
10 further insight. So thank you very much.

11 Thank you both.

12 MR. NAUM: Thank you.

13 MR. McCANN: Thank you.

14 COUNCILWOMAN SANCHEZ: So with
15 that, we're going to -- I'm sorry. Are
16 there any other questions?

17 (No response.)

18 COUNCILWOMAN SANCHEZ: With
19 that, we're going to go to our experts
20 here locally, Commissioner Sawyer and
21 Commissioner Williams.

22 (Witnesses approached witness
23 table.)

24 COUNCILWOMAN SANCHEZ: Thank
25 you both, Commissioners. I know that you

1 10/22/14 - L&I - BILL 140055, etc.

2 have a busy schedule, but thank you for
3 indulging us in your patience.

4 COMMISSIONER WILLIAMS:

5 Absolutely. Good afternoon.

6 COMMISSIONER SAWYER: Good

7 afternoon.

8 COUNCILWOMAN SANCHEZ: You may
9 proceed, either one of you.

10 COMMISSIONER SAWYER: Good

11 afternoon, Councilwoman Sanchez, members
12 of the Committee, and Councilman O'Brien.

13 My name is Derrick Sawyer. I am the Fire
14 Commissioner. Thank you for the

15 opportunity to appear before you this

16 afternoon to testify on Bill No. 140055.

17 This bill would propose four basic

18 things: One, an inventory of vacant

19 properties in the City; two, a database

20 of information on those properties to

21 support emergency preparedness and the

22 safety of our firefighters and other

23 first responders; three, a regime of

24 inspections and data collection on large

25 vacant commercial properties by License

1 10/22/14 - L&I - BILL 140055, etc.
2 and Inspection and Fire Department
3 inspectors; and, four, a cross-agency
4 coordination and sharing of data
5 pertinent to these issues.

6 The safety of our firefighters
7 and other first responders as well as the
8 safety of the public at large are
9 fundamental guiding principles of the
10 fire service. Vacant and abandoned
11 buildings create hazardous conditions
12 that pose significant problems for the
13 fire departments nationwide. Their
14 dilapidated conditions can serve as death
15 traps for firefighters and members of the
16 community or, at the very least, present
17 a consistent risk of injury when an
18 offensive operational mode is deployed.

19 Fires in vacant and abandoned
20 structures have been a source of
21 firefighter injuries and line-of-duty
22 deaths. In order to reduce risk to
23 firefighters, the following strategic
24 concepts are taken into consideration by
25 the Fire Department Incident Commanders

1 10/22/14 - L&I - BILL 140055, etc.
2 during fire suppression operations at
3 vacant and abandoned buildings:

4 There are no structures in the
5 City of Philadelphia worth the life of a
6 firefighter. No level of firefighter
7 risk is acceptable where there is no
8 chance to save lives or save salvageable
9 property. The Philadelphia Fire
10 Department initiates a rapid interior
11 offensive operation for savable lives and
12 property only. When there is no
13 opportunity to save lives or property,
14 there is no reason to expose Fire
15 Department members to avoidable risk. In
16 these cases, the Incident Commander
17 orders a defensive operational mode.

18 First-arriving fire officers
19 must implement defensive operations where
20 appropriate and will not initiate an
21 interior attack in situations of
22 unacceptable risk at abandoned structures
23 without a known civilian life hazard.
24 Incident Commanders are prepared to
25 coincide property -- concede property

1 10/22/14 - L&I - BILL 140055, etc.
2 that is already lost, and the fire ground
3 strategy must then move to protect
4 exposures through defensive operations.

5 According to the National Fire
6 Protection Association, NFPA 1500,
7 standards on fire department operational
8 safety and health, there are two basic
9 modes of operation - offensive attack or
10 defensive attack. NFPA 1500 provides the
11 following risk assessment as a guide, and
12 I'll paraphrase.

13 We take great risk to save
14 savable lives. We take minimum risk to
15 save savable property. We take no risk
16 to save that which is already lost.

17 We adhere to these guidelines
18 and believe that the basic tenets set
19 forth in this bill will support the
20 safety of firefighters and the public
21 with respect to large vacant commercial
22 properties. We are committed to the
23 development and maintenance of a
24 cross-agency approach where data on
25 vacant properties is electronically

1 10/22/14 - L&I - BILL 140055, etc.
2 centralized. Additionally, we support
3 inspections by both Fire and License and
4 Inspection personnel where necessary to
5 compile vital building data and other
6 information that will aid in responding
7 to emergencies. Resources limit these
8 inspections, but we are confident that
9 our departments can work together to
10 focus on and prioritize the buildings
11 that require the greatest focus first.

12 Moreover, we believe that our
13 fire inspectors should have Fire
14 Inspector 1 certification in accordance
15 with NFPA 1031, standards for
16 professional qualification for fire
17 inspector and plan examiner.

18 Furthermore, we are working
19 toward a key point expressed in the bill,
20 making pre-fire plans and vital building
21 data gathered through inspections
22 electronically accessible to personnel in
23 the field. We have compiled and will
24 continue to compile such data where
25 needed on both vacant and occupied

1 10/22/14 - L&I - BILL 140055, etc.
2 properties.

3 For all these reasons, we
4 support Bill No. 140055 as proposed to be
5 amended.

6 This concludes my written
7 testimony, and I would be happy to answer
8 questions.

9 COUNCILWOMAN SANCHEZ: We'll
10 hear from Commissioner Williams first and
11 then we'll take questions.

12 COMMISSIONER WILLIAMS: Good
13 afternoon, Councilwoman Sanchez, members
14 of the Committee on License and
15 Inspections, and Councilman O'Brien. My
16 name is Carlton Williams and I am the
17 Commissioner of the Department of
18 Licenses and Inspections. Today I am
19 here to provide testimony on Bill No.
20 140055, which lays out in the fire code a
21 sound approach to the identification,
22 tracking, and inspection of large vacant
23 commercial and industrial buildings.

24 The Department supports this
25 bill, as proposed to be amended, and its

1 10/22/14 - L&I - BILL 140055, etc.
2 core intention, to protect the public,
3 firefighters, and other emergency
4 personnel from the dangers posed by large
5 vacant commercial and industrial
6 properties, and to do so by leveraging
7 interagency cooperation, joint
8 inspections, centralized data management,
9 and new technology, among other advances.

10 For the last several years, the
11 Department's vacant property strategy has
12 focused on using existing data in new
13 ways to identify potentially vacant
14 properties and then proactively
15 inspecting each property to verify
16 vacancy and issue any appropriate
17 violations. This data-driven approach
18 has proven to be extremely successful.
19 The compliance rate for violations issued
20 through this program are upwards of 70
21 percent, and an outside study has shown
22 that the Department's approach increased
23 property values and tax collection rates
24 and reduced crime and other safety issues
25 in targeted areas. The data collection

1 10/22/14 - L&I - BILL 140055, etc.

2 has also helped us to better target our
3 abatement work and prioritize the worst
4 of the worst buildings for seals and
5 demolitions. As a result of this
6 program, the Department appreciates that
7 proactive data-driven identification and
8 inspection of vacant properties works and
9 fully agrees with the sponsor that this
10 is how inspections of vacant properties,
11 especially large vacant commercial and
12 industrial properties, should be handled
13 and enhanced going forward.

14 We also appreciate that
15 collaboration and cooperation with City
16 agencies is a key to success in not only
17 identifying vacant properties such as
18 through the use of data from the Office
19 of Property Assessment and the
20 Philadelphia Water Department, but also
21 in getting results at the property.
22 Simply inspecting to determine vacancy
23 and issuing a citation for any property
24 maintenance or fire code violations is
25 not enough to truly protect our citizens

1 10/22/14 - L&I - BILL 140055, etc.
2 and our first responders. Our goal and
3 the City's goal is to restore these
4 properties to productive use so that they
5 no longer pose a safety threat to anyone.

6 While code enforcement is an
7 integral piece of this, re-occupancy of
8 these properties cannot be accomplished
9 through code enforcement alone and by the
10 Department of License and Inspections
11 alone. Therefore, we have established
12 and will continue to strengthen our
13 cross-agency relationships that address
14 these properties from every angle
15 possible. We work closely with the Law
16 Department to bring legal actions against
17 property owners who do not comply
18 violations where there is a viable
19 defendant. We work with the Revenue
20 Department to send vacant properties that
21 are tax delinquent and have no viable
22 owner to Sheriff Sale. And we work with
23 the Police Department to identify and
24 address problem properties. Most
25 importantly, we work and will enhance our

1 10/22/14 - L&I - BILL 140055, etc.
2 work with the Fire Department to identify
3 properties that may pose a fire risk,
4 such as those with a previous use that
5 involved hazardous materials or that are
6 targeted for break-ins, and ensure that
7 we share up-to-date results about the
8 property status.

9 We believe that expanding our
10 recent approach of using data to
11 proactively identify and inspect vacant
12 buildings and then sharing this
13 information with our City partners is a
14 strong first step towards the bill's goal
15 of protecting both the public and
16 firefighters from dangers posed by large
17 vacant commercial and industrial
18 buildings. We are always looking to
19 improve upon our processes and believe
20 that this bill lays out sound principles
21 as we move forward. Our new data
22 management system, Project eCLIPSE, will
23 be fully operational by early 2016, and
24 we intend to incorporate many aspects of
25 the data collection and data-sharing

1 10/22/14 - L&I - BILL 140055, etc.
2 provisions of the bill into the system as
3 it is built. We are already working with
4 the Office of Innovation and Technology
5 on a new citywide property inventory that
6 will identify all properties, including
7 potential vacant properties, based on
8 both existing administrative data and new
9 technology such as Lidar. This inventory
10 will connect directly with Project
11 eCLIPSE to allow inspectors to
12 proactively inspect these properties with
13 the results being fed into the inventory
14 for citywide use. Importantly, this
15 process will allow us to quickly identify
16 the large vacant commercial and
17 industrial properties that have a history
18 of code violations and that, therefore,
19 require more detailed and more frequent
20 inspections. We agree with the sponsor
21 that these buildings should be
22 prioritized for more frequent
23 inspections. We agree with the sponsor
24 these buildings should be prioritized to
25 protect the public and firefighter

1 10/22/14 - L&I - BILL 140055, etc.
2 safety, and we will continue to work with
3 the Fire Department to develop joint
4 inspection procedures and an electronic
5 centralized data management process that
6 will contain both code violation reports
7 and vital building information needed by
8 the Fire Department. This will afford
9 both departments a better understanding
10 of any structural deficiencies, unsecured
11 openings, hazardous materials and other
12 dangers at these properties that present
13 a threat to the public and firefighter
14 safety and would allow us to manage our
15 response accordingly.

16 As a department, the safety of
17 our citizens of Philadelphia, including
18 that of our brave firefighters, is our
19 number one priority. We look forward to
20 working with the Fire Department, the Law
21 Department, the Office of Innovation and
22 Technology, and other City agencies and
23 City Council to ensure that vacant
24 buildings continue to be addressed in a
25 comprehensive, forward-thinking,

1 10/22/14 - L&I - BILL 140055, etc.
2 ever-evolving manner that reduces the
3 risk that these buildings pose to the
4 public and to our firefighters and
5 returns them to productive use so they
6 will never again pose such dangers.

7 Thank you for the opportunity
8 to provide the Department's testimony on
9 Bill 140055. I will be happy to answer
10 any questions at this time.

11 COUNCILWOMAN SANCHEZ: Thank
12 you both, Commissioners. Before we start
13 taking some questions, let me take the
14 prerogative as Chair and thank both of
15 you for all the work that you have done
16 cooperatively to help us get to a place
17 where we can put forth a bill that we
18 can, as Councilman, the bill sponsor,
19 O'Brien talked about, piloting it and
20 allowing both of you the flexibility to
21 figure out how we operationalize it.

22 It is our full expectation that
23 there will be a resource and a budget
24 allocation as a result of this, and we
25 are aware of that reality. But I want to

1 10/22/14 - L&I - BILL 140055, etc.
2 thank both of you for working both with
3 Council when we did our special task
4 force with the Mayor's special
5 commission. I can tell you that for the
6 last two years, all of you have been
7 under tremendous scrutiny, and sometimes
8 it's very difficult, because the tragedy
9 leads to an emotional response first, and
10 I think that both of you have given us
11 some even-keeled approach to setting up
12 expectations and being able to deliver.
13 And I know that with all this scrutiny,
14 you understand the importance of it, but
15 never have either of you wavered on the
16 urgency of protecting the citizens and
17 our firefighters, our first responders.
18 I want to thank you both.

19 As someone who sat through
20 hours and hours of meetings and
21 discussions -- I know the Fire
22 Commissioner also sat through that --
23 ultimately you guys are in charge, and
24 ultimately what happens on the ground I
25 know from all of this -- with

1 10/22/14 - L&I - BILL 140055, etc.

2 Commissioner Williams, it impacted you
3 more than it impacted what people
4 realized, the pressure of what was going
5 on. So I appreciate that. I know when
6 we sign up for public service -- well,
7 those of you who are first responders,
8 you sign up to be the first on board
9 anyway, but it takes a lot of courage and
10 a lot of patience, and so I want to thank
11 you. There's been a lot of folks poking
12 at this from many, many different ways,
13 and I'm glad that we can get to a place
14 where we all agree public safety is
15 important and that we're committed to
16 figuring out how we operationalize it and
17 then how we resource this up. So thank
18 you very much.

19 COMMISSIONER WILLIAMS: Thank
20 you, Madam Chair.

21 COUNCILWOMAN SANCHEZ: My
22 prerogative as Chair.

23 I recognize Councilman
24 Greenlee, who has some questions.

25 COUNCILMAN GREENLEE: Thank

1 10/22/14 - L&I - BILL 140055, etc.

2 you, Madam Chair, and I think you put
3 that very well.

4 Gentlemen, good afternoon, and
5 I certainly echo the Chairwoman's
6 statements of the fine job and the
7 dedicated job you both are doing.

8 Commissioner Williams, just
9 real quick, and this is, I guess, sort of
10 just semi-related to the bill, but I know
11 this has been brought up at previous
12 hearings.

13 The whole issue of when
14 complaints are put in and the whole
15 marked "resolved" thing, is that still
16 part of the lexicon, if you will?
17 Because I know last time we talked, you
18 were going to at least kind of look at
19 that a little bit, because obviously
20 that's confusing to the public and I
21 guess to us too.

22 COMMISSIONER WILLIAMS: Right.
23 I think the issue where it's marked
24 either "unfounded" and not having
25 additional information has been changed.

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2 We met with 3-1-1 --

3 COUNCILMAN GREENLEE: Has been
4 changed? I'm sorry.

5 COMMISSIONER WILLIAMS: It has
6 been changed. The word "unfounded"
7 doesn't give a descriptive answer to the
8 public or anyone who is questioning what
9 was actually done, and we certainly heard
10 the concerns regarding this and one of
11 the things that was added was additional
12 fields to explain exactly what was done
13 during the inspection so that the public
14 is assured that we looked at
15 appropriately, and if we didn't look in
16 the right direction, we could be
17 redirected to where the issue was
18 pointed.

19 One of the things that we
20 wanted to expound upon instead of using
21 the word "unfounded" is a more
22 descriptive analysis of what was actually
23 done, whether it could not be found or
24 whether the issue was inspected and did
25 not see a violation. Those are kind of

1 10/22/14 - L&I - BILL 140055, etc.
2 the descriptive analogies that will now
3 be present in 3-1-1 that wasn't apparent
4 before.

5 COUNCILMAN GREENLEE: What
6 about the "resolved" phrase? Because you
7 hear that a lot. That used to be the
8 thing that we'd hear back. People say,
9 It's listed as resolved, but I'm still
10 looking at the building half falling
11 down.

12 COMMISSIONER WILLIAMS: Well,
13 the additional fields will explain what
14 "resolved" actually meant. And so if it
15 was the violation was complied or there
16 wasn't a violation at the time of
17 inspection, that will be specifically
18 stated in the report.

19 COUNCILMAN GREENLEE: So there
20 will be, in a sense, more detail?

21 COMMISSIONER WILLIAMS: That's
22 correct.

23 COUNCILMAN GREENLEE: Thank
24 you.

25 Thank you, Madam Chair.

1 10/22/14 - L&I - BILL 140055, etc.

2 COUNCILWOMAN SANCHEZ: Anyone
3 else on the Committee?

4 Councilman Neilson.

5 COUNCILMAN NEILSON: Yes,
6 please.

7 Good afternoon, gentlemen.
8 Thanks again for coming in.

9 Commissioner -- I love it,
10 Commissioner, Commissioner. This is
11 good, huh?

12 Between the two of you, it's
13 actually a great question for the two of
14 you, and the Chairwoman, she mentioned
15 it, resources, limited resources. We're
16 getting ready to come up on our budget
17 early next year, but we want to -- I'm
18 going to make a statement that please
19 come to us and let us know what you need
20 on resources, because we know the
21 manpower and we know the limited
22 resources you do have, but this is so
23 important to the integrity to make
24 certain that you have, both departments,
25 have the correct resources. And I would

1 10/22/14 - L&I - BILL 140055, etc.

2 ask that you come to us and let us know
3 they're not being provided, because sure
4 enough, we're going to hold you
5 accountable if it's not upheld, because
6 we want to protect, as well as you two
7 gentlemen do. And as a son of a
8 firefighter, Commissioner, we've had this
9 conversation plenty of times, and this is
10 important for many of us and we want to
11 protect those who serve and protect us at
12 night when we're all sleeping.

13 So if there's anything at all
14 you need, rather than read it in the
15 paper, I'd like to hear from you
16 gentlemen, just to let us know. Let us
17 know.

18 COMMISSIONER WILLIAMS: Thank
19 you, Councilman. Absolutely.

20 COMMISSIONER SAWYER: Thank
21 you.

22 COUNCILMAN NEILSON: Thank you,
23 Madam Chair.

24 COUNCILWOMAN SANCHEZ:
25 Councilman O'Brien.

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2 COUNCILMAN O'BRIEN: I have no
3 questions, but I would just like to
4 thank -- I would like to echo your
5 sentiments, Madam Chair, to the
6 Commissioners for giving us the benefit
7 of your professional life experience and
8 helping us work through these very
9 difficult issues and finding ways of
10 incorporating language that will allow us
11 to accomplish our mutual goals.

12 Thank you.

13 COUNCILWOMAN SANCHEZ: Thank
14 you.

15 I want to also acknowledge Bob
16 Murken from the Mayor's legislative team
17 for helping us work through some of that.

18 Councilman Henon.

19 COUNCILMAN HENON: Thank you,
20 Madam Chair, and Commissioners, good
21 afternoon. Thank you for your testimony.
22 There's been several questions obviously
23 around the resources and the ability to
24 enforce a law that we pass here in City
25 Council with a collaborative effort with

1 10/22/14 - L&I - BILL 140055, etc.
2 multiple agencies and input of members of
3 this Committee, and I think it is
4 important that we do pass legislation
5 that we can enforce, we do pass
6 legislation that makes sense. And
7 obviously we're passing legislation or we
8 will shortly be passing legislation for
9 public safety to try to prevent and be
10 preventative, which is a little different
11 than what we have and how we've operated
12 in the past, focusing in on priority
13 prevention and saving lives of not just
14 property but people and infrastructure of
15 families and infrastructure of
16 communities.

17 Data is extremely, extremely
18 important, and over the last several
19 years, that's all we have been talking
20 about. The Chairwoman has been a
21 proponent of making sure and out in front
22 and trying to break down those barriers
23 of operating silos, and it is so true,
24 which I found out in my short three years
25 here in City Council how we operate. But

1 10/22/14 - L&I - BILL 140055, etc.

2 as we move towards the full

3 implementation of eCLIPSE -- and I think

4 we're all excited about that, and I think

5 that's a great tool -- have you both

6 taken into consideration any other data

7 from other departments in this

8 collaboration, such as the Office of

9 Data, Property Data, OPA and so forth,

10 more so the Office of Property Data?

11 COMMISSIONER WILLIAMS: I'll go

12 first and then I'll turn it over to the

13 Commissioner. Project eCLIPSE attempts

14 to clean up what Hanson did not, what our

15 current data system does not, by

16 cross-referencing information from OPA,

17 the Water Department and all of those

18 records to ensure that we have the exact

19 address on a property and also to be able

20 to use an API to transmit and gather data

21 from other systems, whether it be the

22 Fire Department or the Revenue

23 Department, so we can have a full

24 understanding of what the property has.

25 So no matter which department needs that

1 10/22/14 - L&I - BILL 140055, etc.
2 service, whether it be the Fire
3 Department to look at the dangerous
4 conditions of a property or Revenue to
5 talk about Sheriff Sales and whether we
6 have existing violations and a viable
7 property owner, that information will now
8 be shared. Prior to that, it's a manual
9 process, and unfortunately there's human
10 error that comes along with manual
11 processes where you don't have accuracy
12 or the information may not be as in-depth
13 or you can't get it timely, which is in
14 the case of a situation in an emergency
15 in which involves the Fire Department and
16 License and Inspection. With this new
17 system, that information will be
18 available in realtime and instantaneously
19 where that information is shared and
20 information can be known about the
21 condition of a building.

22 COUNCILMAN HENON: And I think
23 that is vital. It's not only critical,
24 it's vital to any kind of success or
25 progress we make as a city in performing

1 10/22/14 - L&I - BILL 140055, etc.
2 our core responsibilities and services
3 that we provide. So being in constant --
4 being in consultation with Centers of
5 Excellence, which we have here through
6 the Managing Director's Office, I know
7 the Administration is here. So I'm
8 hoping that we can follow up with some of
9 these Offices of Property Data and
10 Centers of Excellence and making sure
11 that we're all in sync and sort of
12 simpatico when it comes down to what
13 we're trying to accomplish, and that's
14 enforcing this legislation and other
15 pieces of legislation as a priority.

16 So I thank you both for coming
17 in.

18 COMMISSIONER WILLIAMS: Thank
19 you.

20 COMMISSIONER SAWYER: Thank
21 you.

22 COUNCILWOMAN SANCHEZ:
23 Councilman Henon is a techie junkie, so
24 he's ready for his app. He's going to
25 have the first eCLIPSE app, right?

1 10/22/14 - L&I - BILL 140055, etc.

2 Thank you both. I wanted to
3 add or just have a question. Have we
4 ever pursued any criminal prosecution for
5 anybody who has had a building that has
6 been a public nuisance and dangerous?
7 Has that ever -- have we ever looked at
8 that?

9 COMMISSIONER WILLIAMS: We're
10 now under the Department of Public
11 Safety, and that issue has come up quite
12 recently. I met with Deputy Mayor
13 Resnick, Chief of Staff Everett Gillison,
14 and the District Attorney's Office and
15 the Major Crimes Unit. One of the things
16 that we're looking at now is that people
17 who pose a risk of a catastrophe under
18 the Pennsylvania Criminal Code should be
19 considered for criminal prosecution. In
20 fact, we are working on draft protocols
21 right now to determine when a situation
22 like that exists, what should be the
23 mechanism for referring it to the
24 District Attorney's Office for criminal
25 prosecution.

1 10/22/14 - L&I - BILL 140055, etc.

2 That has not been utilized as
3 much in the past. I think after the
4 tragic collapse of June 5th of last year,
5 it's come to light that these situations
6 should be looked at criminally as well as
7 civil matters.

8 COUNCILWOMAN SANCHEZ: I meant
9 to ask the representative from the DA's
10 Office, because I think one of the values
11 added of having them in this discussion
12 is their willingness to pursue some of
13 these cases and what resources that would
14 require, but I'm glad that the
15 discussions are happening and that we're
16 going to look at that.

17 COMMISSIONER WILLIAMS: That's
18 correct. Yes.

19 COUNCILWOMAN SANCHEZ: Thank
20 you both.

21 We only have one more panel
22 left, so I don't know, can you guys hang
23 around? Hopefully it won't be too long.

24 I have a William Richmond, the
25 former Philadelphia Fire Commissioner; a

1 10/22/14 - L&I - BILL 140055, etc.
2 Dan Oakes for Joe Schulle, for the
3 President of Local 22; and Garrett
4 O'Dwyer from PACDC. All of you can
5 approach. We have written testimony for
6 all of you, so if you want to summarize
7 your presentation, we would be very
8 grateful.

9 (Witnesses approached witness
10 table.)

11 COUNCILWOMAN SANCHEZ: You may
12 proceed.

13 MR. RICHMOND: I'll be brief.
14 Good afternoon, Chairwoman Sanchez,
15 Councilman O'Brien, and members of the
16 Committee on License and Inspections.
17 Thank you for allowing me the opportunity
18 to speak today concerning this bill,
19 which amends The Philadelphia Fire Code
20 to establish protocol for dealing with
21 large vacant commercial and industrial
22 properties in the City of Philadelphia.

23 My name is William C. Richmond.
24 I am a retired Philadelphia firefighter.
25 My 28-year career included service in all

1 10/22/14 - L&I - BILL 140055, etc.
2 ranks, the last five years as Fire
3 Commissioner. In that capacity, I was
4 Incident Commander on 95 fires or other
5 events ranging from two to nine alarms.
6 A number of the fires included in the 95
7 events cited involve vacant buildings,
8 primarily abandoned commercial
9 structures.

10 While our tactics remain
11 virtually the same in fighting fires in
12 these buildings, an extra measure of
13 caution was always applied, as there are
14 inherent additional hazards frequently
15 found in these structures. These include
16 open to trespass; obvious structural
17 damage; joists and supports exposed;
18 inactive or removed suppression systems;
19 windows and doors absent or broken; holes
20 in floors; stairways and steps removed;
21 accumulated rubbish and debris; rats and
22 rodents; squatters and other problems not
23 found in normally occupied commercial
24 entities.

25 Brief research on my part

1 10/22/14 - L&I - BILL 140055, etc.
2 developed the fact that over 50
3 firefighters have lost their lives
4 fighting fires going back to November of
5 1879 and up to and including the fire
6 that took the lives of Bob Neary and Dan
7 Sweeney on April 9th, 2012. To say this
8 issue is of great concern and interest to
9 firefighters is a gross understatement.
10 Also, it is or should be a concern of the
11 community as well. It is in many cases
12 they who suffer greatly in a variety of
13 ways from the presence of these
14 dilapidated and/or abandoned buildings.
15 In a number of instances, these buildings
16 have been neglected by their owners and
17 have not been adequately supervised in a
18 timely manner by those in City government
19 charged with that responsibility.

20 Four basic components of this
21 proposed legislation - the Vacant
22 Property Task Force, an inventory of
23 buildings identified, joint inspection,
24 and the development of a usable,
25 up-to-date database - make up an

1 10/22/14 - L&I - BILL 140055, etc.
2 intelligent and viable approach to
3 solving the problem at hand. The major
4 actions, development of the property
5 prioritized list and database, along with
6 inspections and reinspection will be a
7 tremendous practical help.

8 It is my opinion that this
9 piece of legislation is clean,
10 straightforward, unambiguous, and its
11 intent extremely commendable. With the
12 full cooperation -- and I stress full
13 cooperation -- of all involved and each
14 participating agency, it will ensure much
15 progress in addressing an issue that has
16 plagued Philadelphia for many years.
17 Only with all participants buying into
18 this offering can we expect it to achieve
19 the desired result.

20 And just an aside, this is a
21 copy of an article in the Inquirer
22 September 20th, 2014. Just let me read
23 one little sentence. "The fire
24 originated in a vacant commercial
25 building and spread to a large paper

1 10/22/14 - L&I - BILL 140055, etc.
2 goods warehouse. There was a man
3 critically injured in this fire, who was
4 a squatter in the building."

5 Thank you. I'm open for any
6 questions.

7 COUNCILWOMAN SANCHEZ: We'll
8 take the rest of the testimony. Thank
9 you for your public service. I thought I
10 recognized you.

11 Again, we have both of your
12 written testimonies.

13 MR. O'DWYER: Good afternoon.
14 Thank you for the opportunity to testify.
15 My name again is Garrett O'Dwyer and I'm
16 the Policy and Communications Associate
17 for the Philadelphia Association of
18 Community Development Corporations, or
19 PACDC. I'd like to start by applauding
20 Councilman O'Brien's effort to improve
21 the safety of residents and emergency
22 responders in the communities across the
23 City by developing a task force and a
24 strategy to address the unique risks
25 presented by large vacant buildings.

1 10/22/14 - L&I - BILL 140055, etc.

2 These have been a blighting influence on
3 neighborhoods all over the City, and we
4 applaud that work.

5 In the past five years, PACDC
6 has been engaged on issues related to
7 vacant property on a number of fronts.
8 We regularly assist CDC members in
9 neighborhoods across the City with
10 accessing data on vacant properties in
11 their communities. We advocated strongly
12 for needed reforms, such as the
13 Philadelphia Land Bank, and we have
14 worked to develop vacant property
15 reporting software for our members. In
16 this time, we have consistently found the
17 City's data to be problematic. The data
18 is often incomplete, inconsistent or out
19 of date, and diffuse agencies with
20 incompatible databases make it difficult
21 to easily create a full profile of each
22 vacant property. Aggregating data from
23 across agencies is useful for painting a
24 more accurate picture of the problem, but
25 it still suffers from the flaws inherent

1 10/22/14 - L&I - BILL 140055, etc.
2 to the original data.

3 We believe that the City needs
4 a full, dynamic inventory of its vacant
5 properties, including an accurate,
6 up-to-date profile on each property. As
7 this bill recognizes, key to managing the
8 risk that vacant buildings pose is having
9 reliable and current data on vacant
10 properties in Philadelphia. So we
11 strongly support the efforts to increase
12 the scope and accuracy of the City's
13 vacant property data and the recognition
14 that utilizing technology and methods not
15 currently employed by the City could be
16 instrumental in generating the new data
17 needed. We believe that to the greatest
18 extent possible, these efforts should
19 coordinate with similar efforts the City
20 is engaged in and, in particular, the
21 Philadelphia Land Bank. We have strongly
22 advocated for the Land Bank strategic
23 plan to have a goal of creating a much
24 more rigorous, comprehensive inventory of
25 publicly and privately owned vacant

1 10/22/14 - L&I - BILL 140055, etc.
2 property citywide. That inventory should
3 include information on property
4 conditions, owner, whether it is a
5 building or a lot, and other relevant
6 information. It should be made available
7 to the public and should be used by and
8 continuously updated by all appropriate
9 City departments and agencies so we can
10 finally modernize and unify the City's
11 databases.

12 We understand that there are
13 ongoing discussions with the
14 Administration and with Council and that
15 there is movement towards realizing some
16 of these much-needed changes, some of
17 which we heard about earlier. It is our
18 hope that Council and the Administration
19 will continue to work together to ensure
20 that the resources are available to be
21 able to effectively implement and
22 complete this important task.

23 We also would recommend that
24 the Task Force members identified in the
25 legislation should be expanded to include

1 10/22/14 - L&I - BILL 140055, etc.
2 representatives from all public agencies
3 that hold vacant property. So that would
4 be the Philadelphia Housing Authority,
5 the Philadelphia Redevelopment Authority,
6 the Philadelphia Housing Development
7 Corporation, and the Department of Public
8 Property.

9 Thank you very much, Chairwoman
10 Sanchez and Councilman O'Brien and to the
11 Committee, for allowing me to testify.

12 COUNCILWOMAN SANCHEZ: Thank
13 you.

14 Mr. Oakes.

15 MR. OAKES: Good afternoon. My
16 name is Dan Oakes. I'm here in place of
17 Joe Schulle and Local 22, the
18 Firefighter/Paramedics Union.

19 The Philadelphia
20 Firefighter/Paramedics Union are in
21 support of Bill No. 140055. Once fully
22 implemented, the provisions in this bill
23 will significantly reduce the risk of
24 fire in all large vacant commercial and
25 industrial properties across the City and

1 10/22/14 - L&I - BILL 140055, etc.
2 also reduce the risk of serious injury or
3 death to the men and women of the
4 Philadelphia Fire Department tasked with
5 fighting these large fires.

6 This bill provides two distinct
7 avenues to reduce the risk of a
8 catastrophe in these structures. First,
9 the bill will ensure that all large
10 commercial and industrial properties are
11 properly secured. This actually will
12 reduce the potential for fire in these
13 structures by squatters.

14 Second, the bill provides a
15 thorough inspection and evaluation of
16 these large commercial and industrial
17 vacant structures for the risk of fire
18 and other potential hazards. All this
19 information will be entered in a
20 database, as you heard earlier. The
21 information gathered will be invaluable
22 to the Incident Commanders on the scene
23 when fire does occur. Additionally, the
24 information will assist in fire
25 pre-planning so our responding units will

1 10/22/14 - L&I - BILL 140055, etc.

2 be more aware of the potential problems
3 within the structure.

4 There is also additional
5 benefit to this legislation. This bill,
6 along with the Land Bank legislation
7 introduced by Councilwoman Sanchez, will
8 inevitably improve our neighborhoods by
9 both reducing blight and reducing the
10 catastrophic fires we too often
11 experience in Philadelphia. When these
12 fires occur, our neighborhoods often take
13 years to recover.

14 When you compound the risk of
15 extensive property damage along with the
16 risk of lives to both the civilians and
17 the firefighters, this legislation is
18 simply common sense. We need only look
19 back to April 9th, 2012 to see the
20 devastation these fires leave in their
21 wake, multiple homes destroyed, two
22 Philadelphia firefighters tragically
23 killed in the line of duty and two others
24 seriously injured.

25 It is our hope that City

1 10/22/14 - L&I - BILL 140055, etc.

2 Council will embrace this legislation and
3 the City Administration will work to
4 follow all of the provisions within the
5 legislation to help create a safer
6 Philadelphia.

7 Thank you very much.

8 COUNCILWOMAN SANCHEZ: Thank
9 you.

10 Any questions from our panel?
11 Councilman O'Brien.

12 COUNCILMAN O'BRIEN: I would
13 just like to thank Mr. O'Dwyer for his
14 testimony and his advocacy. I'd like to
15 thank Mr. Oakes, and please convey to
16 President Joe Schulle our appreciation
17 for his help in drafting this
18 legislation, his professionalism that he
19 brought to this conversation and, most
20 importantly, keeping the lines of
21 communications to the Neary and to the
22 Sweeney families as we progress through
23 this process.

24 And, Commissioner, I can't
25 believe it's been so long ago that you

1 10/22/14 - L&I - BILL 140055, etc.
2 distinguished this City with -- or you
3 have benefited the City with your
4 distinguished 28 years of service and
5 five years as Commissioner. We thank you
6 for that. We thank you for testifying
7 today. And I just have one question.
8 Why is it so important for the Fire
9 Department to understand large vacant
10 buildings, arm themselves with
11 information, and have L&I and Fire
12 working together?

13 MR. RICHMOND: I think the
14 answer is very simple. It's basically
15 everyone is on the same page and up to
16 date, and if they all have the
17 information and share it, I think it will
18 go a long way in solving this problem.

19 COUNCILMAN O'BRIEN: Thank you.

20 COUNCILWOMAN SANCHEZ: I do
21 want to echo those. We thank all of you
22 for your testimony and support of what
23 we're trying to do here for your service.

24 Did you have a question,
25 Councilman Neilson?

1 10/22/14 - L&I - BILL 140055, etc.

2 COUNCILMAN NEILSON: Just one.

3 COUNCILWOMAN SANCHEZ:

4 Councilman Neilson.

5 COUNCILMAN NEILSON: As a
6 representative of the Firefighters Union
7 and having your members on the front
8 line, I too would ask that if there's
9 anything within that information that
10 doesn't get to you on the front line.
11 You talked about having this information
12 is so important, but having the tools to
13 be able to do that as well, because I
14 know so many times we go across the
15 community and things don't work. We want
16 to make sure the right information is in
17 your hands, and I would ask that you
18 would come and address us and let us know
19 if that does not get to you and you see
20 that it doesn't work, to please allow us.
21 But I know President Schulle and the
22 Commissioner have been working vigorously
23 hard to make certain that they're all on
24 the same page and everybody is safe, but
25 please let Mr. Schulle know, as I will,

1 10/22/14 - L&I - BILL 140055, etc.

2 that we're here, let us know.

3 MR. OAKES: I will, sir. Thank
4 you.

5 COUNCILMAN NEILSON: Thank you,
6 Madam Chair.

7 COUNCILWOMAN SANCHEZ: Thank
8 you.

9 Anybody else here to testify on
10 this bill?

11 (No response.)

12 COUNCILWOMAN SANCHEZ: Seeing
13 none, that recesses our hearing and we
14 will move into the public meeting of the
15 Committee of Licenses and Inspections.

16 I'm going to ask Councilman
17 Greenlee for a motion on the amendments
18 to Bill 140055.

19 COUNCILMAN GREENLEE: Thank
20 you, Madam Chair. I move the adoption of
21 the amendments to Bill No. 140055.

22 (Duly seconded.)

23 COUNCILWOMAN SANCHEZ: All
24 those in favor?

25 (Aye.)

1 10/22/14 - L&I - BILL 140055, etc.

2 COUNCILWOMAN SANCHEZ: Any
3 opposed?

4 (No response.)

5 COUNCILWOMAN SANCHEZ: Seeing
6 none, the amendment is approved.

7 Can I have a motion on the
8 amended bill.

9 COUNCILMAN GREENLEE: Thank
10 you, Madam Chair. I move that Bill No.
11 140055, as amended, be reported out of
12 this Committee with a favorable
13 recommendation and that the rules of
14 Council be suspended to allow for first
15 reading at our next session of Council.

16 (Duly seconded.)

17 COUNCILWOMAN SANCHEZ: All in
18 favor?

19 (Aye.)

20 COUNCILWOMAN SANCHEZ: Any
21 opposed?

22 (No response.)

23 COUNCILWOMAN SANCHEZ: Seeing
24 none, Bill No. 140055, as amended, will
25 be moved out of Committee with a

1 10/22/14 - L&I - BILL 140055, etc.
2 favorable recommendation and Council
3 rules to be suspended to allow first
4 reading at our next Council session.

5 Councilman Greenlee, a motion
6 on the amendment to Bill 140608.

7 COUNCILMAN GREENLEE: Thank
8 you, Madam Chair. I move the adoption of
9 the amendment to Bill No. 140608.

10 (Duly seconded.)

11 COUNCILWOMAN SANCHEZ: All in
12 favor?

13 (Aye.)

14 COUNCILWOMAN SANCHEZ: Any
15 opposition?

16 (No response.)

17 COUNCILWOMAN SANCHEZ: Seeing
18 none, the amendment is approved.

19 Can I have a motion on the
20 amended bill.

21 COUNCILMAN GREENLEE: Thank
22 you, Madam Char. I move that Bill No.
23 140608, as amended, be reported out of
24 this Committee favorably with a rules
25 suspension to allow for first reading at

1 10/22/14 - L&I - BILL 140055, etc.

2 our next session of Council.

3 (Duly seconded.)

4 COUNCILWOMAN SANCHEZ: All in
5 favor?

6 (Aye.)

7 COUNCILWOMAN SANCHEZ: Any
8 opposition?

9 (No response.)

10 COUNCILWOMAN SANCHEZ: Seeing
11 none, Bill No. 140608, as amended, will
12 be put out of this Committee with a
13 favorable recommendation and Council
14 rules be suspended to allow for first
15 reading at our next public session.

16 Can I have a motion on Bill No.
17 140723.

18 COUNCILMAN GREENLEE: Thank
19 you, Madam Chair. I move that Bill No.
20 140723 be reported out of this Committee
21 favorably with a rules suspension to
22 allow for first reading at our next
23 session of Council.

24 (Duly seconded.)

25 COUNCILWOMAN SANCHEZ: All in

1 10/22/14 - L&I - BILL 140055, etc.

2 favor?

3 (Aye.)

4 COUNCILWOMAN SANCHEZ: Any

5 opposition?

6 (No response.)

7 COUNCILWOMAN SANCHEZ: Seeing

8 none, Bill 140723 will be moved out of

9 this Committee with a favorable

10 recommendation and the Council rules be

11 suspended to allow first reading at our

12 next Council session.

13 That concludes the L&I

14 Committee meeting. Thank you, everyone,

15 for your patience and all of your work

16 for this.

17 Thank you.

18 (Committee on Licenses and

19 Inspection concluded at 4:00 p.m.)

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CERTIFICATE

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

MICHELE L. MURPHY
RPR-Notary Public

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