

1
2 COUNCIL OF THE CITY OF PHILADELPHIA
3 COMMITTEE ON PUBLIC HEALTH AND
4 HUMAN SERVICES
5
6

7 Room 400, City Hall
8 Philadelphia, Pennsylvania
9 Tuesday, October 25, 2011
10 1:20 p.m.

11 PRESENT:

12 COUNCILWOMAN MARIAN B. TASCO, CHAIR
13 COUNCILMAN DARRELL CLARKE
14 COUNCILMAN W. WILSON GOODE, JR.
15 COUNCILMAN JAMES KENNEY
16 COUNCILWOMAN DONNA REED MILLER
17 COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
18 COUNCILWOMAN BLONDELL REYNOLDS BROWN
19

20 BILL 110552 - An ordinance amending Section
21 10-602 of The Philadelphia Code, known as the
22 "Clean Indoor Air Worker Protection Law," by
23 providing a limited period of time, expiring
24 January 1, 2012, during which certain Drinking
25 Establishments, as defined, may apply for and
obtain a waiver...

BILL 110565 - An ordinance amending Chapter
10-100 of The Philadelphia Code, entitled
"Animals," to establish provisions for the
reporting of wild raccoons...

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1
2 COUNCILWOMAN TASCO: Good
3 morning -- or it's afternoon, isn't it?
4 The Committee on Public Health and Human
5 Services will come to order.

6 I'd like to report that we have
7 a quorum in the presence of Councilwoman
8 Brown, Goode, Kenney and Tasco.

9 We'll ask the Clerk to read the
10 bills that are being heard today.

11 THE CLERK: Bill No. 110552, an
12 ordinance amending Section 10-602 of The
13 Philadelphia Code, known as the "Clean
14 Indoor Air Worker Protection Law," by
15 providing a limited period of time,
16 expiring January 1, 2012, during which
17 certain Drinking Establishments, as
18 defined, may apply for and obtain a
19 waiver of the provisions of the section
20 prohibiting smoking in certain places,
21 under certain terms and conditions.

22 Bill No. 110565, an ordinance
23 amending Chapter 10-100 of The
24 Philadelphia Code, entitled "Animals," to
25 establish provisions for the reporting of

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2 wild raccoons and to provide for the
3 manner of their abatement, all under
4 certain terms and conditions.

5 COUNCILWOMAN TASC0: Thank you
6 very much.

7 Are there witnesses to testify
8 on this bill?

9 (No response.)

10 COUNCILWOMAN TASC0: No one is
11 going to testify? Please come forward.
12 Are you here to testify on this bill?

13 UNIDENTIFIED SPEAKER: The
14 second bill.

15 COUNCILWOMAN TASC0: Thank you
16 very much.

17 The Clerk will please read the
18 next bill.

19 (Off-the-record discussion.)

20 COUNCILWOMAN TASC0: The Chair
21 recognizes Mr. Brian Abernathy, Chief of
22 Staff, Managing Director's Office, who
23 will testify on Bill 110565.

24 (Witness approached witness
25 table.)

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2 MR. ABERNATHY: Thank you,
3 Councilwoman Tasco and members of the
4 Committee. My name is Brian Abernathy
5 and I am Chief of Staff to the Managing
6 Director. I'm here to testify on Bill
7 No. 110565 relating to the abatement of
8 raccoons.

9 While the Administration does
10 not have specific objections to this
11 legislation, know its passage will not
12 change our policy on how we handle these
13 animals. Lawful abatement requires that
14 Animal Control only trap raccoons if the
15 animal is injured, agitated or sick.
16 Animal Control will also accompany the
17 Department of Licenses and Inspections to
18 abandoned properties to assist with clean
19 and seal activities.

20 As I previously testified,
21 raccoons are increasingly common in
22 Philadelphia and other large cities and
23 can be seen in neighborhoods across the
24 City. Generally speaking, raccoons are
25 attracted to areas where they can easily

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2 find food and shelter. Until these
3 conditions are corrected, raccoons will
4 continue to inhabit an area. If left
5 alone, raccoons are not dangerous. Both
6 the Humane Society and the Pennsylvania
7 Game Commission recommend that humans and
8 wildlife co-exist and do not support
9 trapping healthy animals.

10 Rather than trap raccoons or
11 inspect properties, likely resulting in a
12 citation for the property owner, we
13 suggest property owners do the following:

14 Do not feed raccoons.

15 Use metal or heavy plastic
16 trash containers. Keep the lid tightly
17 fastened to keep odors from escaping. If
18 needed, use bungee cords or ropes or put
19 a weight on the lid so raccoons cannot
20 open it.

21 Keep food away from raccoons.

22 Raccoons tend to feed at night. If
23 raccoons steal food from your pet's dish,
24 feed your pet during the day and bring
25 the bowl inside at night.

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2 Keep barbecue grills clean or
3 stored in a secure place.

4 If you see a raccoon in the
5 yard, turn on the lights and make a noise
6 to scare it off. Do not corner a raccoon
7 and force it to defend itself.

8 Use wildlife repellent to drive
9 raccoons from your property. You can buy
10 a repellent at a home and garden or
11 discount hardware store.

12 Clean up spilled seeds around
13 your birdfeeders or bring your
14 birdfeeders inside at night.

15 Light your yard or alley with
16 floodlights or motion detector lights.

17 Don't give raccoons a place to
18 stay. Seal any openings on your
19 property, especially buildings like sheds
20 and garages. Report vacant, unsealed
21 properties to 3-1-1 so they can be sealed
22 as quickly as possible.

23 In conclusion, the
24 Administration does not have specific
25 objections to this legislation. However,

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2 again, this legislation would not alter
3 our current practices, because we feel
4 that we are acting within the law and
5 abating raccoons appropriately.

6 Thank you for the opportunity
7 to testify today, and I am happy to
8 answer your questions.

9 COUNCILWOMAN TASCO: Thank you
10 very much.

11 The Chair recognizes Councilman
12 Kenney.

13 COUNCILMAN KENNEY: Thank you,
14 Madam Chair.

15 Mr. Abernathy, does the
16 Administration recommend any particular
17 thing that we should yell at the raccoons
18 when we're pushing the lights on and off?
19 Is there a specific thing we should yell
20 at the raccoon to make it more effective?

21 MR. ABERNATHY: Just be loud,
22 Councilman. I'm sure they'll leave.

23 COUNCILMAN KENNEY: Okay.
24 Thank you.

25 COUNCILWOMAN TASCO: Any other

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2 questions?

3 (No response.)

4 COUNCILWOMAN TASC0: Councilman
5 Clarke, this is your bill. Do you have
6 any comments on this bill, please? Would
7 you tell us what we're doing?

8 COUNCILMAN CLARKE: Thank you,
9 Madam Chair.

10 Good afternoon, sir.

11 MR. ABERNATHY: Councilman.

12 COUNCILMAN CLARKE: This is a
13 case, Madam Chair, members of the
14 Committee, that we have a particular
15 problem in a lot of communities, and
16 we've since found out once this story
17 broke on TV that it's throughout the City
18 of Philadelphia. I'm going to actually
19 show something on West Philadelphia, a
20 story that was done earlier.
21 Unfortunately, we can't capture -- we
22 couldn't go back in the archives and find
23 the one from North Philadelphia where a
24 raccoon actually chased a little girl
25 down the street at 27th and Cecil B.

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2 Moore.

3 Understanding the fiscal
4 situation that we find ourselves in in
5 the City of Philadelphia, we're
6 unfortunately at this point apparently
7 not in the position to adequately address
8 this issue in a very aggressive way,
9 which I think most people who have to
10 deal with this situation would prefer,
11 but I don't think that -- we should not
12 enact legislation that when we have the
13 resources or the inclination to actually
14 do something about a problem that is
15 real, that is challenging for the people
16 to have to deal with raccoons walking
17 down the middle of the street throughout
18 the course of the day, and you'll see on
19 this film that are actually are coming on
20 the personal property.

21 We need to do something about
22 that, and as I talk to people and as I go
23 out in neighborhoods, they don't want to
24 hear that it's the State of
25 Pennsylvania's responsibility to deal

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2 with game, wildlife. They know that I'm
3 the guy that represents them, I'm the guy
4 that they voted for, and they want me to
5 do something about that. So at a
6 minimum, we would like to establish
7 regulations, and we have an amendment
8 today that deals with specific language,
9 one, identifying that only nuisance
10 issues are abated. We're not asking for
11 pet raccoons or any other type of
12 raccoons that's in captivity to be
13 abated. In addition to which, we want
14 the City to use non-lethal matters,
15 because I know there are some concerns.
16 My good friend Councilman Kelly that sits
17 next to me at Council is very concerned
18 about how we abate that. So we want to
19 ensure that it is non-lethal abatement.

20 But at the end of the day, I
21 think that it's appropriate for the City,
22 who is ultimately responsible for its
23 citizens, to come up with some measures
24 and some guidelines to deal with what we
25 believe to be a very significant problem

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2 in large parts of the community.

3 Mr. Carter.

4 Just briefly just to give you a
5 sense of one of the stories, and there
6 have been numerous stories that talked
7 about this troubling problem. And I do
8 believe we have a resident to testify.

9 (Video shown.)

10 COUNCILMAN CLARKE: Thank you,
11 Madam Chair. I think that film speaks
12 for itself.

13 COUNCILWOMAN TASC0: Thank you
14 very much. Thank you very much.

15 Any other questions of
16 Mr. Abernathy?

17 MR. ABERNATHY: Councilwoman,
18 if I may, there was one -- there's one
19 issue that I wanted to address on the
20 amendment, which I haven't actually seen,
21 but I think it's important for the record
22 at least.

23 You had mentioned that you were
24 going to amend the bill to encourage an
25 unlethal means of abatement. Actually,

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2 state law requires that -- does not allow
3 us to do non-lethal abatement. It's
4 something that we looked at at Councilman
5 Kenney's request at the last hearing.
6 The Pennsylvania Game Commission has been
7 very, very clear on their standards that
8 if we capture a raccoon, it must be
9 destroyed.

10 COUNCILWOMAN TASC0: Here's the
11 amendment, if you'd like to see it.

12 Any other questions or
13 comments?

14 (No response.)

15 COUNCILWOMAN TASC0: Thank you
16 very much.

17 The Chair now recognizes the
18 next panel, Jacqueline Johnson, Vernon
19 Neismith, Morris Hobson.

20 (Witness approached witness
21 table.)

22 MS. JOHNSON: I am angry with
23 the City, because I have an abandoned
24 house next door to me. I have called --

25 COUNCILWOMAN TASC0: First,

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2 before we start, darling, would you
3 please tell us who you are.

4 MS. JOHNSON: I'm Jacqueline
5 Johnson. I live at 2721 North Ringgold
6 Street.

7 COUNCILWOMAN TASCO: Thank you.

8 MS. JOHNSON: I have an
9 abandoned property 2719 North Ringgold
10 Street. I've been taking care of
11 grooming this property for years. Now
12 the raccoons have moved in. The owner is
13 in jail. I tracked down who has the
14 house in real estate. I tracked down the
15 wife. Everybody is telling me it's not
16 their responsibility. The City on up to
17 the Governor's Office can't do anything.

18 When I come in my house from
19 work at night, go to the bathroom, once
20 these things have broke through my
21 ceiling. Now they're coming out my
22 bathroom wall. I am now out my house. I
23 just remodeled my home. Now I have to
24 break down more walls.

25 Whose responsibility is it when

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2 we take care of our property and other
3 people don't? We get taxed. We get
4 ticketed. We get fined for everything.
5 There is no money nowhere to help the
6 citizens of Philadelphia? And to call
7 for services, it's just embarrassing how
8 the response that we get.

9 I live in the middle of North
10 Philly. What do I look like chasing a
11 raccoon down and putting him in a cage?
12 That's the only response I can get, and
13 this is not even my property. And I got
14 permission for L&I to be on the property.
15 They still refuse to come and at least
16 board it up. They're telling me that
17 that's my -- I have to do something about
18 it.

19 Now, once I fix my property,
20 this abandoned property is still open.
21 Where does that leave me? And I'm still
22 waiting for them to at least board it up.
23 And that's not even saying how am I going
24 to finish my bathroom after I break out
25 the wall and secure it so at least I can

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2 stay in my own home and use my own
3 bathroom. I mean, what do we do?

4 COUNCILWOMAN TASCO:

5 Councilman.

6 MS. JOHNSON: Are we going to
7 make more meetings, more laws that's
8 going to take time and time? I mean,
9 I've been dealing with this from August
10 the 1st. It took these things a week.
11 One night they was coming through the
12 ceiling, the next week they was coming
13 through my bathroom. And I'm living with
14 a cage in my house.

15 L&I has come out and taken
16 pictures. This was after the one L&I
17 worker said he came out, when he never
18 came out. Because that was the day I
19 took off from work to go to Shirley
20 Kitchen's office about this problem.
21 This man said he came out. He never came
22 out to inspect that property.

23 I called the cops. I didn't
24 know whether somebody was in there
25 stripping the house or not. This is how

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2 vicious these things were coming through
3 the wall. Okay? And nobody doesn't seem
4 to be of a concern to anyone unless they
5 wake up with a furry pillow next to them.

6 That's -- I mean, I'm a single
7 parent. I work hard for what little I
8 have, and just to let the City say they
9 can't do anything about it, how much am I
10 supposed to replace? How much can I
11 afford to replace? And it seems like
12 it's no concern. How long is it going to
13 take this bill to pass? When is the next
14 meeting going to be?

15 COUNCILWOMAN TASCO: Thank you
16 for your testimony.

17 Councilman Clarke, is this your
18 constituent?

19 COUNCILMAN CLARKE: Ma'am,
20 thank you so much for coming down.

21 I just want to say that what
22 you've heard here is what's been repeated
23 to us. And I say "us," because I've
24 since heard that there are other
25 Councilmembers who actually had that

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2 issue in their districts. That I
3 understand that there are challenges as
4 it relates to either state regs or
5 certain concerns that some people have as
6 it relates to wildlife, but at the end of
7 the day, you can't have a situation where
8 people live in these neighborhoods and it
9 is in fact the vacant properties that are
10 the problem. It's not the individual's
11 problem, because that's what we witnessed
12 when we went out in the Strawberry
13 Mansion community where this first
14 started. It's these vacant properties on
15 the block. The raccoons either live in
16 the basement or somewhere in those
17 properties, and they come out and they do
18 whatever they want to do, because most
19 people are understandably afraid of them.
20 And I was actually telling two of my
21 colleagues up there about a situation --
22 I won't call the gentleman's name -- that
23 actually took action on his own, and I
24 told him to please stop repeating the
25 fact that you shot a raccoon, because

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2 that's clearly not what we should be
3 doing, but it's the level of desperation
4 on some of these residents.

5 MS. JOHNSON: That's the only
6 option I have. I can't go nowhere else.
7 I have no place else to live.

8 COUNCILMAN CLARKE: Right.

9 So we're hoping at a minimum,
10 we in Council, because we are the branch
11 of government that does legislation and
12 we can put the regulations in place, and
13 hopefully the Administration will see fit
14 to work with us to try to implement a
15 program to give these people some relief.

16 COUNCILWOMAN TASC0: Councilman
17 Kenney.

18 COUNCILMAN KENNEY: Thank you,
19 Madam Chair.

20 What I don't understand from
21 the Administration's perspective is, if
22 this woman's house was infested with
23 rats, we'd go in there and clean it out
24 and board it up and kill the rats. I
25 mean, why does a raccoon get more civil

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2 rights than a rat, when they're basically
3 doing the same thing and they're tearing
4 through walls and through ceilings?

5 MR. ABERNATHY: And,
6 Councilman, if Animal Control was called
7 about a raccoon inside a property, we
8 would respond.

9 COUNCILMAN KENNEY: Inside a
10 vacant property?

11 MR. ABERNATHY: Inside her own
12 property, we should be responding --

13 COUNCILMAN KENNEY: No. What
14 would happen if the house next door to
15 this lady were infested with Norweigan
16 rats, what would we do? We would just
17 leave her on her own?

18 MR. ABERNATHY: We would treat
19 the area with poison.

20 COUNCILMAN KENNEY: Oh, okay.
21 And is that against the state law?

22 MR. ABERNATHY: No. Rats and
23 raccoons are treated differently under
24 state law.

25 COUNCILMAN KENNEY: Do you have

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2 any concept as to why?

3 MR. ABERNATHY: That's not a
4 question I can answer. There are some --

5 COUNCILMAN KENNEY: A squirrel
6 is a rat with a furry tail. I mean --

7 MR. ABERNATHY: Well,
8 Councilman, and I think there's actually
9 some disagreement on that as well, and
10 certainly there are some folks here today
11 that can testify towards the difference
12 between raccoons and rats.

13 COUNCILMAN KENNEY: All I'm --

14 MR. ABERNATHY: So to your
15 point, I actually -- I'm disturbed by the
16 story that the witness testified to.

17 COUNCILMAN KENNEY: She's more
18 disturbed because she's living with it.

19 MR. ABERNATHY: And that's why
20 I actually walked back up.

21 (Ms. Johnson speaking without
22 microphone.)

23 COUNCILWOMAN TASCO: Just a
24 moment, please.

25 MR. ABERNATHY: Before we leave

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2 today, I will have her address. I will
3 make sure if there are raccoons inside
4 her property, we will abate the raccoon
5 inside her property. The property next
6 door, L&I and Animal Control will attend
7 together to remove the animals and to
8 board up the property.

9 COUNCILMAN KENNEY: What do you
10 base your opinion or what does the
11 Administration base their opinion on that
12 somehow raccoons are not dangerous?

13 MR. ABERNATHY: There has not
14 been one reported attack of a raccoon on
15 a person in Philadelphia, period.

16 COUNCILMAN KENNEY: So if a rat
17 is --

18 (Ms. Johnson speaking without
19 microphone.)

20 COUNCILWOMAN TASC0: Miss, you
21 can't yell out like that, please.

22 MR. ABERNATHY: No reports.

23 COUNCILMAN KENNEY: So if the
24 raccoons are burrowing through walls and
25 through ceilings, there's --

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2 MR. ABERNATHY: If they're
3 burrowing through walls and ceilings,
4 there's likely a hole in the roof, and
5 that person would be held responsible for
6 property maintenance violations.

7 COUNCILMAN KENNEY: Who? The
8 homeowner?

9 MR. ABERNATHY: The homeowner.

10 COUNCILMAN KENNEY: This lady
11 here?

12 MR. ABERNATHY: I don't know
13 the circumstance. And if it's coming
14 through the wall of the neighboring
15 property, if it's a shared party wall, I
16 think that's a different response, but if
17 it's burrowing through a ceiling, which
18 was what your question was, if there is a
19 roof and there is a hole in that roof, it
20 is the property owner's responsibility to
21 maintain that property. A raccoon will
22 not create a hole by itself.

23 COUNCILMAN KENNEY: Here's the
24 long-term problem: The long-term problem
25 is the City -- and this is not directed

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2 at you -- the City, the Administration,
3 us and every Administration in the past
4 helped create the situation because we
5 didn't do anything with the abandoned
6 building.

7 MR. ABERNATHY: I agree.

8 COUNCILMAN KENNEY: So why will
9 we not be responsible for our lack of
10 treating the abandoned building and what
11 came as a result of it, which is an
12 infestation of raccoons?

13 MR. ABERNATHY: And my
14 response, Councilman, is L&I and Animal
15 Control are working in partnership to
16 clean and seal buildings actively.

17 COUNCILMAN KENNEY: Well, hers
18 is --

19 MR. ABERNATHY: And I will have
20 her address by the end of the day.

21 COUNCILMAN KENNEY: What do you
22 do when you go out there today or
23 tomorrow or whenever you go and you got
24 like a family of raccoons in there or a
25 couple families of raccoons? What do you

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2 do?

3 MR. ABERNATHY: If L&I goes out
4 by itself and there's a family of
5 raccoons, they will call Animal Control,
6 and Animal Control and L&I will go out
7 together. They will not capture the
8 raccoons. They will --

9 COUNCILMAN KENNEY: What are
10 you going to do, talk to the raccoons? I
11 mean, what's the purpose of them going
12 together if they're not going to address
13 the problem of what the --

14 MR. ABERNATHY: Raccoons will
15 leave the property. Raccoons will leave
16 the property when Animal Control and L&I
17 enter together.

18 COUNCILMAN KENNEY: So they all
19 run out?

20 MR. ABERNATHY: They run out.
21 We remove what attracted the raccoons to
22 that area, which is the easy housing, and
23 they move on.

24 COUNCILMAN KENNEY: To where?

25 MR. ABERNATHY: To another

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2 location, Councilman. I am not in a
3 position --

4 COUNCILMAN KENNEY: This is --

5 MR. ABERNATHY: Councilman, I'm
6 not in a position to say that we're going
7 to capture and kill raccoons. We're not
8 going to do that.

9 COUNCILMAN KENNEY: Is it a
10 financial issue?

11 MR. ABERNATHY: No. It's
12 against state law to capture and kill
13 raccoons unless they're actively damaging
14 property.

15 COUNCILMAN KENNEY: This is --
16 I don't understand the whole concept of
17 why you're taking that position.

18 MR. ABERNATHY: Councilman,
19 I've had a number of conversations with
20 the Game Commission. I've looked at
21 other cities and their laws.
22 Philadelphia is following best practice
23 across the country. There's no major
24 city in the country that abates raccoons
25 in the way that you're asking us to.

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2 COUNCILMAN KENNEY: I'm just
3 asking you to get this lady's life back
4 together.

5 MR. ABERNATHY: And I'm very
6 willing to do that, and that's actually
7 why I stepped back up. There are --

8 COUNCILMAN KENNEY: Maybe
9 because we treat raccoons so well, they
10 all come here.

11 MR. ABERNATHY: There are
12 steps --

13 COUNCILMAN KENNEY: They
14 started to talk to each other and say,
15 Philly is great.

16 MR. ABERNATHY: There are steps
17 that we can take under the current law
18 and the current practices that will
19 address this woman's concerns.

20 COUNCILMAN KENNEY: I mean, you
21 could understand the ridiculous
22 discussion we're having relative to her
23 specific problem.

24 MR. ABERNATHY: I agree, and I
25 think we can address her specific

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2 problem.

3 COUNCILMAN KENNEY: All right.

4 COUNCILWOMAN TASC0: I think
5 something has to be done, and it's futile
6 to have her call L&I and they not really
7 respond. I mean, the house should have
8 been boarded up a long time ago.

9 MR. ABERNATHY: I agree. Yes,
10 Councilwoman.

11 COUNCILWOMAN TASC0: That just
12 is inexcusable, to know that there's a
13 problem and nothing is done about that
14 property. And if the guy is in jail, you
15 know nothing is going to be done if you
16 can identify that. So something -- I
17 mean, the policy has to change to be able
18 to do something at the moment.

19 MR. ABERNATHY: And the policy
20 actually should be able to address her
21 issues. For whatever reason it sounds
22 like staff did not follow up, and we'll
23 make sure that that happens.

24 COUNCILWOMAN TASC0: All right.

25 The Chair recognizes

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2 Councilwoman Miller.

3 COUNCILWOMAN MILLER: Thank
4 you.

5 COUNCILWOMAN TASC0: Who is a
6 member of this Committee and part of the
7 quorum.

8 COUNCILWOMAN MILLER: A few
9 years ago I got a call from the Health
10 Department that said that the majority of
11 calls that they receive regarding
12 raccoons came from zip code 19144, which
13 is Germantown. So we started having town
14 meetings throughout that zip code to just
15 talk about and try to help people
16 understand what to do about raccoons, and
17 some of what you have in your testimony
18 at the bottom, those helpful hints were
19 things that people were given, but also
20 the City sent out L&I and the Health
21 Department to vacant properties, abated
22 those properties. In fact, what they
23 did, they actually looked at the entire
24 area for whatever types of rodents or
25 nuisance-type animals.

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2 In Germantown, we have the
3 raccoons and we have possums all over.
4 One of my staff members told me this
5 morning when she was out last night
6 walking her dog, there were eight
7 raccoons sitting on the corner right down
8 the street from her house. And I learned
9 a lot back then about raccoons, and there
10 were a couple people that came from some
11 of the refuge places to say, Please don't
12 kill the raccoons. But I think at some
13 point -- and I was watching a TV show and
14 on this particular show, the show was
15 based out of New York. They talked about
16 raccoons. Oh, darn, there's a raccoon
17 outside eating my trash. So I said, Oh,
18 wow, they have them too.

19 But in Germantown there are
20 many raccoons, and I think -- I know they
21 live in abandoned homes, but I think they
22 also live where there's high grass and
23 weeds. Many people have large backyards.
24 I came out of a church meeting one night
25 and looked up on the roof and there were

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2 about six raccoons sitting on the roof of
3 this community center that the church
4 owned.

5 So they're everywhere. They're
6 in Mt. Airy. I mean, they're everywhere
7 that I know of in my district, but mostly
8 people complain in the northwest,
9 particularly the grassy, trees, some
10 places with abandoned homes.

11 At some point, I don't know
12 what we do about the raccoons, but it's
13 almost like we have to learn how to live
14 with them.

15 MR. ABERNATHY: Yes, ma'am.

16 COUNCILWOMAN MILLER: Because I
17 think they're here to stay.

18 (Applause.)

19 COUNCILWOMAN MILLER: Listen,
20 you know, I don't like those raccoons.
21 They look terrible when you see them
22 running down the street and their backs
23 all hunched, and they're scary. And I
24 have constituents that say they're trying
25 to get in their house, they're coming

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2 through chimneys. There's another woman
3 that doesn't live far from me who says
4 she looked up and one was in her house
5 and she had to hire someone to come and
6 do something to her chimney. Someone
7 else just did their roof because they
8 said that they scratch and they feel like
9 they're coming through. So when the
10 woman before you testified, the things
11 that she's saying, I've heard time and
12 time again, and I've seen raccoons
13 running down the street, particularly at
14 night, and I learned that normally when
15 it's a whole group, it's a mother,
16 daughter and children, because after they
17 have the babies, I guess they get rid of
18 the male raccoon. It just becomes a
19 female and children thing.

20 But we have to do something. I
21 don't know what we do. We didn't grow
22 up -- I didn't grow up with raccoons. I
23 was born and raised in Germantown. I
24 never knew anything about a raccoon, and
25 now all the sudden, we have all these

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2 raccoons. I think they're saying because
3 of development that's taking place,
4 they're moving back into the City. I
5 really don't know. But we got to figure
6 out what to do about the raccoons, what
7 do we do, how do we live with them. I
8 personally don't want to live with
9 raccoons. I don't blame her. She's
10 fired up, and I don't blame her.

11 And I have a neighbor also,
12 Councilman Clarke, that uses his weapon
13 to get rid of the raccoons in his yard.
14 So I don't know what we do.

15 MR. ABERNATHY: And,
16 Councilwoman, I actually think you hit it
17 on the head, is that we do need to live
18 with wildlife together and --

19 (Applause.)

20 MR. ABERNATHY: -- we are happy
21 as a City Administration to help
22 community outreach and provide
23 educational materials to you and your
24 constituents to make sure that the folks
25 understand how to deal with raccoons on

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2 their property. And the story that the
3 witness had is horrible and I'm ashamed
4 that the City responded the way it did.
5 We will respond better. I can't -- I
6 don't know what happened, but we will
7 address her concern.

8 COUNCILWOMAN MILLER: But
9 they're coming in. They're trying to
10 get -- people think they're trying to get
11 in through the roof. They hear them
12 scratching. They also said they hear
13 them in the walls. One constituent said
14 that they're on the windowsill in her
15 kitchen, so she can't open her kitchen
16 window anymore, because people are afraid
17 they're going to come through the
18 screens. And it's just awful. And if we
19 live with wild animals, wildlife, they
20 need to find their spot and leave us
21 alone. I mean --

22 MR. ABERNATHY: One of the
23 things I would suggest to constituents in
24 some of those circumstances is to
25 actually buy repellent to help make sure

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2 the raccoons avoid certain parts of the
3 property as well. In general, raccoons
4 are harmless and they're lazy creatures.

5 COUNCILWOMAN MILLER: Well, I
6 know you don't have all the answers,
7 Brian. This is a problem --

8 COUNCILMAN KENNEY: Not that
9 one crawling up the wall. That was
10 pretty active, that one.

11 I just have a question about
12 what happens when a private property
13 owner calls a company and they come out
14 and abate the problem and they capture
15 them, what do they do with them?

16 MR. ABERNATHY: They kill them.

17 COUNCILMAN KENNEY: They kill
18 them?

19 MR. ABERNATHY: Yes.

20 COUNCILMAN KENNEY: So you're
21 just saying the City don't want to kill
22 them?

23 MR. ABERNATHY: No. I'm saying
24 the City doesn't have the resources to
25 act as exterminators.

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2 COUNCILMAN KENNEY: But what if
3 this woman doesn't have the resources to
4 pay a thousand dollars to abate the
5 problem?

6 MR. ABERNATHY: In this
7 situation, because the raccoon is
8 actually within her property, the City
9 will come in and abate.

10 COUNCILMAN KENNEY: What if we
11 set money side in a pool to hire
12 abatement services for people who can't
13 afford it?

14 MR. ABERNATHY: Personally,
15 Councilman, I would say that's a waste of
16 taxpayer dollars.

17 COUNCILMAN KENNEY: Unless the
18 raccoon was in your house, then you would
19 think it was pretty good use.

20 MR. ABERNATHY: And the City
21 will respond if the raccoon is in your
22 house. That's what I'm saying very
23 clearly. The City -- if the raccoon is
24 in your property, the City will respond.

25 COUNCILMAN KENNEY: And will

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2 come and do what to it?

3 MR. ABERNATHY: Will capture
4 and --

5 COUNCILMAN KENNEY: And kill
6 it.

7 MR. ABERNATHY: -- euthanize
8 it, yes.

9 COUNCILMAN KENNEY: But it
10 won't do it next door?

11 MR. ABERNATHY: Correct.

12 COUNCILWOMAN MILLER: But if
13 they clean and seal --

14 COUNCILMAN KENNEY: I thought
15 it was a humane issue for the City.

16 MR. ABERNATHY: No.

17 COUNCILMAN KENNEY: You don't
18 care if they kill them or not?

19 MR. ABERNATHY: Yes, I do care.

20 COUNCILMAN KENNEY: So you
21 don't want to do it?

22 MR. ABERNATHY: I do care
23 whether they get killed or not. Let's
24 put that aside. I am -- the reason we
25 have concerns about this legislation and

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2 the abatement of raccoons in general is
3 not whether or not the raccoon is killed
4 or not. That is a piece of it, but it is
5 not the only piece.

6 COUNCILMAN KENNEY: So it's the
7 financial side of it?

8 MR. ABERNATHY: Financial and
9 we don't believe it's within the
10 City's --

11 COUNCILMAN KENNEY: So if --
12 and I'm sorry to interrupt the
13 Councilwoman.

14 MR. ABERNATHY: -- best
15 interest to capture every raccoon.

16 COUNCILMAN KENNEY: If we
17 decided as a Council to put aside a pot
18 of money to pay for private abatement,
19 you wouldn't spend it?

20 MR. ABERNATHY: I would have to
21 look at it, but off the cuff, I don't
22 believe that we would spend it.

23 COUNCILMAN KENNEY: Well, all
24 right.

25 COUNCILWOMAN TASCO: Any more

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2 questions?

3 (No response.)

4 (Councilwoman Tasco speaking
5 without microphone on.)

6 COUNCILWOMAN TASCO: Someone
7 told me last night they're complaining to
8 me about possums and she's going to shoot
9 them. So, I mean, people are going to
10 get hurt. So I think this is a very
11 serious matter that we have to figure out
12 how we deal with.

13 MR. ABERNATHY: And --

14 COUNCILWOMAN TASCO: And if the
15 raccoon is not in her house but next
16 door, you're going to abate that property
17 too?

18 MR. ABERNATHY: We will go in,
19 make sure the raccoons are not within the
20 property, seal the property to make sure
21 that they do not come back. And,
22 Councilwoman, you are absolutely right,
23 we do need to deal with this issue, but
24 it's an issue of education. Possums and
25 raccoons don't hurt people.

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2 COUNCILWOMAN TASC0: But people
3 don't know that. They're not going to
4 take --

5 MR. ABERNATHY: I agree with
6 you, they don't know that.

7 COUNCILWOMAN TASC0: I've heard
8 dogs don't hurt you and I run from dogs
9 when I see them, because I have a natural
10 fear of dogs.

11 MR. ABERNATHY: I understand.

12 COUNCILWOMAN TASC0: And if I
13 see a raccoon, I'm definitely moving.

14 MR. ABERNATHY: But from a
15 practical standpoint, the City does not
16 have the resources to capture raccoons or
17 possums. We just -- there is no -- we
18 wouldn't be able to even start that
19 issue.

20 COUNCILMAN KENNEY: We're not
21 suggesting the City does it. We're
22 suggesting the City pay to have it done,
23 which is cheaper than the City doing it.

24 MR. ABERNATHY: And my
25 understanding is if the City paid to have

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2 it done -- and this is a question for the
3 Game Commission -- to animals that aren't
4 causing any nuisances, aren't damaging --

5 COUNCILMAN KENNEY: You're
6 making a judgment that --

7 MR. ABERNATHY: I am making a
8 judge, Councilman. I'm here to --

9 COUNCILMAN KENNEY: They're
10 causing nuisances next door to that
11 lady's house. They're causing a
12 nuisance.

13 COUNCILWOMAN TASC0: A nuisance
14 to her. It's a nuisance to her. It may
15 not be a nuisance to these people who
16 like raccoons.

17 MR. ABERNATHY: It may not be a
18 nuisance under the law, and that would be
19 what we need to review.

20 COUNCILMAN KENNEY: I didn't
21 understand the answer to the question in
22 that if we decided to put money aside for
23 private abatement for people who can't
24 afford to abate it themselves, you
25 wouldn't spend it?

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2 MR. ABERNATHY: If -- and this
3 is my question, Councilman. I guess I
4 don't understand the question. Are you
5 asking if they're abating it on their own
6 property?

7 COUNCILMAN KENNEY: If the
8 house is abandoned and no one is going to
9 abate it themselves because there's no
10 one there --

11 MR. ABERNATHY: I would
12 actually argue that a private company
13 probably couldn't enter that property,
14 but I would be happy to look at it.

15 COUNCILWOMAN TASCO: Well, who
16 would abate it?

17 COUNCILMAN KENNEY: The guy in
18 jail.

19 MR. ABERNATHY: Animal Control
20 and L&I would enter the property, because
21 L&I has the right to enter property.
22 Animal Control would go with them, make
23 sure the animals are removed, seal the
24 property to make sure that the animals
25 didn't come back.

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2 COUNCILWOMAN TASCO: And then
3 you would take them down the street to
4 another place.

5 MR. ABERNATHY: Animal Control
6 would -- if they captured them, Animal
7 Control would have to euthanize them. If
8 they did not capture them, the raccoons
9 would find another place to live.

10 And I think you hit the
11 problem -- I don't remember which -- you
12 hit the problem on the head. The problem
13 is the vacant properties, and we are
14 dealing and have been working on a
15 comprehensive strategy to deal with
16 vacant property.

17 COUNCILMAN KENNEY:
18 Mr. Abernathy, could we then prioritize
19 the vacant properties if they have
20 raccoons in them? Could we put them to
21 the top of the list?

22 MR. ABERNATHY: Councilman, I
23 can't answer that question. You also
24 have to determine what vacant properties
25 are causing more damage and more

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2 deleterious effects on different
3 properties.

4 COUNCILMAN KENNEY: What would
5 the City do if that woman's house had --
6 that entered cats and dogs and they
7 started living there and there was like
8 20 dogs and ten cats and the guy was
9 still in jail? What would the City do
10 then?

11 MR. ABERNATHY: If -- and the
12 animals are inside --

13 COUNCILMAN KENNEY: Inside the
14 vacant property.

15 MR. ABERNATHY: Wild animals?

16 COUNCILMAN KENNEY: No;
17 domestic dogs and cats. Not a healthy
18 situation, they're reproducing, they're
19 whatever.

20 MR. ABERNATHY: There would be
21 animal cruelty and humane laws --

22 COUNCILMAN KENNEY: No.
23 There's nobody in the house. The guy is
24 in jail.

25 MR. ABERNATHY: The dogs would

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2 be abandoned, it would be inhumane and,
3 therefore, an animal cruelty case.

4 COUNCILMAN KENNEY: And then
5 you can take them and not have to
6 euthanize them, just take them out?

7 MR. ABERNATHY: Humane law
8 enforcement would have to get a warrant
9 to enter the property, capture the dogs,
10 and they would be turned over to PSPCA
11 and the District Attorney to prosecute.

12 COUNCILMAN KENNEY: So if there
13 was a possibility of changing state law
14 that would allow you to go in there and
15 abate the raccoon problem and release
16 them into the wild, that would be okay?
17 You didn't have to euthanize them.

18 MR. ABERNATHY: That's a harder
19 question to answer, Councilman, and I'm
20 not going to try at this point.

21 COUNCILMAN KENNEY: Because I
22 could see the state maybe giving us a
23 waiver or changing law for Philadelphia
24 County only -- they like doing that for
25 us anyway -- to allow you to remove them

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2 but not have to kill them, and then
3 everybody would be happy.

4 MR. ABERNATHY: And then my
5 question would be, where do we put them?

6 COUNCILMAN KENNEY: You put
7 them out in the woods where they live,
8 where they're supposed to live.

9 MR. ABERNATHY: And one of the
10 issues is that they are -- this issue
11 derived from Fairmount Park coming into
12 the neighborhoods. If you look at the
13 raccoons and the neighborhoods that have
14 the most raccoons, if we drop them off in
15 Fairmount Park, they would come back
16 into --

17 COUNCILMAN KENNEY: Could we
18 take them further out? Could we take
19 them like to Berks County? They would
20 get lost, they wouldn't know their way
21 back. And they'd go to Berks County and
22 get shot out there by a farmer, so maybe
23 that's not the answer either.

24 I'm telling you, this is like
25 one of the most bizarre public policy

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2 discussions ever.

3 So all right.

4 COUNCILWOMAN TASC0: Most folks
5 down south don't believe that I'm talking
6 about raccoons.

7 MR. ABERNATHY: Councilwoman,
8 I'm a country boy at heart and when it
9 comes to -- I had bears going through my
10 trash. Raccoons don't bother me.

11 COUNCILWOMAN TASC0: Okay.
12 Let's hear the next witnesses, please.
13 Don't go away.

14 Sue Cosby, Rick Schubert,
15 Christina Kobland and Barbara Reibman,
16 Sarah Speed, Lee Hall and Lisa Levinson.
17 Everybody just come up.

18 (Witnesses approached witness
19 table.)

20 MR. SCHUBERT: Hi. My name is
21 Rick Schubert. I'm from the Schuylkill
22 Center for Environmental Education. I'm
23 the Director of the Schuylkill Wildlife
24 Rehabilitation Clinic in Philadelphia. I
25 am a licensed wildlife rehabilitator. I

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2 have a license with the Pennsylvania Game
3 Commission and the U.S. Fish and Wildlife
4 Service. I am on the City's Animal
5 Advisory Council appointed by Mayor
6 Nutter.

7 My clinic is a hospital for
8 injured and orphaned wildlife. I deal
9 with raccoons in the City all year round
10 on a daily basis, not in any kind of
11 fantasy setting. I deal with real
12 raccoons in North Philadelphia, in West
13 Philadelphia. I have my hands on them
14 every day, and I deal with real problems,
15 and I have about 14 years experience in
16 dealing with raccoons. I consider myself
17 an expert on both raccoons and on
18 possums. I am a wildlife biologist and I
19 have a lot of knowledge of these animals.

20 The problem with raccoons in
21 the City is not a problem with raccoons.
22 They are a symptom. This is an
23 ecological problem. We live in the
24 filthiest city in the United States of
25 America. The City is disgustingly

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2 filthy.

3 If you provide raccoons with
4 food, shelter and habitat, there will be
5 raccoons everywhere. That is the
6 underlying problem. Unless that is taken
7 care of, we will not get rid of raccoons
8 no matter what laws you pass.

9 Ecologically raccoons have a
10 homeostatic feedback mechanism. If you
11 abate raccoons and you still have raccoon
12 habitat and garbage all over the City,
13 the remaining raccoons, because you can't
14 abate them all, next year will hormonally
15 have a feedback mechanism where they will
16 produce more offspring. Those offspring
17 will survive to adulthood with higher
18 rates of survival and they will have
19 healthier offspring. In other words, if
20 you reduce raccoons down to 20 percent,
21 those populations will bounce right back
22 next year, unless you address the
23 underlying problem, which is that the
24 City has vacant houses, vacant lots and
25 trash everywhere.

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2 I brought a visual aid that I
3 wanted to bring here, but I couldn't get
4 it in through security, which is that I
5 went around my block. I live in Mt.
6 Airy, East Mt. Airy, and in one night
7 collected chicken bones, rib bones,
8 yogurt containers, peanut containers,
9 bags of potato chips, bags of M&Ms. If
10 you provide raccoons with this stuff,
11 there will always be raccoons no matter
12 what legislation you pass.

13 I deal with people that are
14 calling that are hysterical. I don't
15 deal with any kind of fantasy problems.
16 I deal with people that call me that are
17 hysterical, from North Philadelphia and
18 West Philadelphia. These raccoons are
19 brought to me on a daily basis. I treat
20 them and I relocate them outside the
21 City. I'm the only person in
22 Philadelphia licensed to do this, the
23 only person in Philadelphia, Montgomery
24 County, Chester County and Delaware
25 County to lawfully, through the

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2 Pennsylvania Game Commission and U.S.

3 Fish and Wildlife Service, treat raccoons

4 and relocate them at a wildlife

5 rehabilitation setting. So I deal with

6 real problems.

7 There is a hysteria around

8 raccoons that is based on ignorance, and

9 through education, we can change that.

10 Raccoons are here to stay, but their

11 numbers can be drastically reduced by

12 addressing the underlying problem, which

13 is that the City is completely filthy.

14 There's trash, there's water, there's

15 habitat, there's shelter, there's

16 everything raccoons need.

17 So you pass a law where you

18 exterminate raccoons in the City because

19 some people view them as a problem and

20 the raccoon population will bounce right

21 back. It will be back in 2012 the same

22 level that it was in 2011.

23 Some people consider raccoons a

24 nuisance. That's because they're

25 overpopulated in the City. I do

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2 understand that, but I don't believe the
3 City of Philadelphia is authorized to do
4 wildlife extermination. I wouldn't say
5 that you have the right to do that any
6 more than have the right to start
7 exterminating Peregrine falcons, which is
8 another native wildlife species.

9 Things like Norway rats are
10 invasive species. They are not native
11 wildlife. A raccoon is a native
12 wildlife, belongs here, been here for
13 millions of years before human beings
14 ever came around. We have to live with
15 them. We have to learn how to control
16 their populations. We have to learn how
17 to clean the City.

18 My clinic deals with these
19 animals on a daily basis, and I provide
20 resources with you on helping you with
21 this problem. I'm not here to start any
22 fights with anybody, but I can -- we're
23 there to help people with -- we're
24 helping animals and helping people with
25 their problems.

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2 So any questions about this,
3 please contact my facility, Schuylkill
4 Wildlife Rehabilitation Clinic. Again,
5 I'm the only licensed wildlife
6 rehabilitator in the City of
7 Philadelphia.

8 COUNCILWOMAN TASCIO: Next.

9 MS. REIBMAN: My name is
10 Barbara Reibman. Thank you for hearing
11 my testimony. I'm an officer of the
12 Burket Plack Foundation, which is one of
13 the largest Philadelphia foundations
14 dedicated solely to funding animal
15 protection programs. Ironically, we also
16 fund the Schuylkill Wildlife Center. I
17 was also Director of Morris Animal Refuge
18 for a number of years, and I'm a
19 Philadelphia resident.

20 I believe that this ordinance
21 is not tenable. I also think that
22 fiscally not tenable. Expecting animal
23 shelter staff to trap every seen raccoon
24 is not a possible task. Furthermore,
25 every trapped raccoon would have to be

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2 killed.

3 And I just want to make a
4 distinction here for Councilman Kenney.
5 The reason that raccoons I believe are
6 regulated differently than rats, for
7 example, are because they're game
8 animals, and the Pennsylvania Game
9 Commission has very different set of
10 rules for game animals, and they're
11 native wildlife also. So there are
12 different regulations for raccoons and
13 rats, and I don't think that's ever going
14 to change.

15 The issue regarding relocating
16 raccoons has not been promulgated by the
17 Game Commission. It's also a health
18 issue, because raccoons are rabies vector
19 species. So I just wanted to clarify
20 those two points. Those things may not
21 be so easy to change.

22 Also, every trapped raccoon
23 would have to be killed. That is part of
24 the state game law, and that is not going
25 to be changed.

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2 Promoting a public expectation
3 that Philadelphia's Animal Care and
4 Control or any animal agency can do all
5 of this, trap every seen raccoon, take
6 them back, euthanize them, it's an
7 unrealistic expectation and it's
8 unrealistic to promote that to the
9 public, because that will give them an
10 expectation that we are never going to be
11 able to meet.

12 ACCT already provides raccoon
13 abatement, as we saw. Their protocol is
14 accessible on their website to the
15 general public. They will come to remove
16 an animal when the animal is in an area
17 within the home. They will not come when
18 the animal is in an attic, wall space or
19 a crawl space immediately. They'll come
20 after the animal has been trapped in
21 those areas. So the homeowner has to get
22 a trap, set the trap, and when the animal
23 is in the trap, call ACCT and they will
24 come and remove the animal. They will
25 also come if an animal is seen acting in

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2 a way that shows that it's injured or
3 sick.

4 These standards I think would
5 probably do the trick for you in terms of
6 abating the raccoon problem. To expand
7 them is going to be very, very expensive,
8 as far as I can see. The Pennsylvania
9 SPCA, which supervises ACCT, according to
10 their form 990 from 2009, ran over a \$4
11 million deficit as it is. So expecting
12 these programs to expand when the animal
13 shelters are already under financial
14 stress is also unrealistic.

15 In terms of the efficacy of
16 this ordinance, like Rick said -- I don't
17 need to give a lecture on wildlife
18 population dynamics. Removing raccoons
19 here and there is not going to reduce
20 raccoon numbers. What will be effective
21 is public education regarding, as Rick
22 said, trash securement, outdoor grills,
23 sealing up entry openings and also not
24 feeding pets outside, not leaving pets
25 outside.

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2 Regarding the rabies paranoia,
3 I actually called the PA Department of
4 Agriculture, and I'd like to just review
5 the facts. In 2009, two animals tested
6 positive for rabies in Philadelphia
7 County. In 2010, it was three. In 2011,
8 so far it's been three, none of them
9 raccoons. Compared to your county, the
10 numbers were 29, 20 and 18, and they
11 don't have a raccoon abatement ordinance
12 in your county, yet their numbers are ten
13 times what ours are.

14 Dr. Griswold allowed me to
15 quote him in saying that from the
16 information that we have from the
17 diagnostic laboratories of the PA
18 Department of Agriculture and the Bureau
19 of Laboratory in Lionville, PA, which
20 does the human exposure data, it does not
21 appear that Philadelphia County is seeing
22 a large number of rabies cases in
23 raccoons.

24 Finally, I asked him, In your
25 lifetime, do you ever know of anyone

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2 actually having rabies in the City of
3 Philadelphia, and he said no, never.

4 Now, on a positive note,
5 regarding the public's view of raccoons
6 and this paranoia about raccoons, if
7 Philadelphia is interested in protecting
8 the public from rabies, the use of the
9 rabies vaccine bait is doable, humane and
10 it's getting increasingly more effective
11 as they develop a better rabies vaccine
12 rate. It's currently being done in many
13 counties, including Allegheny County in
14 and around Pittsburgh. Distributing the
15 vaccine bait, it's just a little pink
16 packet that wildlife eats and they become
17 vaccinated for rabies. It's something
18 that our foundation might be interested
19 in working with the City on, if you have
20 any interest in this.

21 So that's something that, on a
22 positive note, would help protect the
23 public against rabies, but also might try
24 to mitigate some of this fear of raccoons
25 among the public.

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2 So, finally, I just want to say
3 that there are many laws that effectively
4 and responsibly protect animals and
5 people in Philadelphia, but this
6 ordinance, which kind of unrealistically
7 expands a currently adequate program, is
8 just not one of them.

9 Thank you very much for your
10 hearing my testimony.

11 COUNCILWOMAN TASCO: Thank you
12 for your testimony.

13 Next.

14 MS. KOBLAND: Hello. I'm
15 Christina Kobland. I actually work for
16 the City of Philadelphia through my
17 business, Native Return. I work for the
18 Division of Aviation doing a research
19 project at the Northeast Philadelphia
20 Airport. I'm a zoologist. Like I said,
21 I have a business, Native Return. My
22 goal with my business, interestingly, is
23 to convince others to share their land
24 with wildlife. And before I get into my
25 prepared statement, I just want to say

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2 it's disconcerting to hear the disconnect
3 between the residents of Philadelphia,
4 including the members of City Council,
5 the disconnect between the natural world
6 and the human world.

7 You know, diversity training is
8 all in the rage now, and I think along
9 with that, perhaps it would be a good
10 idea to add tolerance for other animal
11 species, because we all inhabit this
12 planet together. And, interestingly,
13 when you study this, as I've done, you
14 find that when you grow biodiversity, you
15 actually make the planet much more
16 stable. So there's a true science to the
17 rationale as to why it's important to
18 promote biodiversity.

19 Now, raccoons you might say,
20 well, they're overpopulated, and it's
21 through -- they're very opportunistic,
22 and through no fault of their own,
23 they're also very intelligent. They move
24 into these areas that they find space
25 where they can live, and, like Rick said,

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2 there's trash around, food, garbage.

3 It's easy for them to survive there. So

4 they're opportunistic, like we are. So

5 it would be good to appreciate their

6 intelligence and maybe learn a tolerance.

7 Just as a little anecdotal

8 story, I live a stone's throw from

9 Philadelphia, Montgomery County, and one

10 morning I woke up -- or one day -- I have

11 a birdfeeder, and I noticed a little tiny

12 raccoon -- it was so tiny -- feeding

13 underneath the birdfeeder. My reaction

14 was, oh, my goodness. I was just

15 thrilled. I love wildlife, and when I

16 saw it, I was just so touched. I

17 thought, I wonder why he's out there by

18 himself. And the next morning I went out

19 to walk my dog and there was this tiny

20 little fur ball rolled up in a little

21 ball in the base of a clay flower pot

22 outside my garage, and, again, I was just

23 thrilled.

24 So not everybody thinks of

25 these animals as nuisances. I love them.

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2 I appreciate them.

3 I also want to make a comment.

4 I noticed you talking about setting aside
5 funds in order to eradicate these
6 animals, but where do you draw the line?
7 And the City has got these incredible
8 fiscal challenges. Where do you draw the
9 line? Do you start to fund personal
10 property owners in the removal of
11 squirrels and rodents and roaches? Where
12 do you draw the line? Where do you
13 separate one species from another?

14 Now, there's got to be a
15 better -- first of all, there's got to be
16 a responsibility of property owners to
17 take care of their own property, to board
18 up the holes so that these animals can't
19 get in, to properly dispose of their
20 refuse so the trash isn't available to
21 these creatures. So these are just a
22 couple points that came to my mind.

23 I have a blog that I write
24 through my business called East33.org,
25 and on there I got a lot of response from

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2 the public, and it ran for every ten that
3 responded, nine were in favor of letting
4 the raccoons be, with one saying I'm a
5 little concerned about rabies.

6 The proposed legislation to
7 exterminate these nuisance raccoons is
8 costly, it's cruel and it's unnecessary.
9 Like I said, what's one person's nuisance
10 is another person's pleasure.

11 We've destroyed so much of the
12 natural world. These animals move in not
13 because they choose to live amongst us.
14 It's because they really don't have any
15 choice.

16 The fear of rabies is grossly
17 over-reported and sensationalized by the
18 press. This drives me crazy as a
19 zoologist. Other than one human death in
20 1984 in Danville, Pennsylvania, there is
21 not one documented death in Pennsylvania
22 since 1949.

23 MS. HALL: And that wasn't a
24 raccoon, was it?

25 MS. KOBLAND: To the

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2 contrary -- and, no, that's right. That
3 was due to a bat, not a raccoon.

4 To the contrary, Philadelphians
5 are being infected with HIV at five times
6 the national average, and our violent
7 crime rate is amongst the country's
8 highest. I say City Council has no time
9 to spare. Prioritize and focus full
10 attention on important issues facing the
11 City, not these silly manufactured ones.

12 There are already state laws
13 that deal with diseased raccoons. This
14 proposed legislation will result in the
15 death of thousands of innocent, healthy
16 animals just trying, like us, to survive.

17 The public should also be aware
18 that when they trap an animal, the
19 following animals called "vector species"
20 must all, by Pennsylvania law, be killed.
21 They include fox, raccoon, groundhog,
22 skunk, coyote and bats. They are gassed,
23 shot, electrocuted, drowned, clubbed or
24 worse. So this raccoon legislation will
25 wipe out countless healthy wild animals,

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2 many of which keep rodent populations
3 under control.

4 Wouldn't Philadelphians be
5 better off teaching an appreciation of
6 wildlife as opposed to its cruel
7 extermination? Is this the message we
8 want to teach our children? Will you
9 answer their questions honestly when they
10 ask what will happen to the --

11 COUNCILWOMAN TASC0: Miss,
12 Miss, Miss, Miss, Miss, we get the point.
13 Will you answer that lady's question back
14 there, when she has a house next door to
15 her that's vacant and these animals are
16 running into her house, what does she do?
17 You live in the suburbs and you have a
18 lawn, grass, and you have birdfeeders and
19 all of that. That's one thing. But she
20 lives in a house that's vacant next door
21 and the raccoons are invading her
22 property. What does she do?

23 MS. KOBLAND: And I understand
24 that.

25 COUNCILWOMAN TASC0: We have a

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2 responsibility as a Council to take care
3 of citizens like her who are being
4 inundated.

5 MS. KOBLAND: Is that an L&I
6 matter? Because shouldn't they be
7 boarding up the property? That's the --

8 COUNCILWOMAN TASC0: That's
9 what she asked for. Okay? That's what
10 she asked for.

11 MR. SCHUBERT: I can give some
12 light on it, because I don't live in the
13 suburbs. I live in a row house in
14 Germantown, where there are raccoons.
15 And, again, I understand the woman's
16 problem, but the underlying problem is
17 trash and vacant houses.

18 COUNCILWOMAN TASC0: Well,
19 you've had your testimony. I'm asking
20 this lady. I mean, you know, people who
21 live in the City, folks that are on
22 television who live next door to a house
23 that is abandoned, and what we're saying
24 to the City, there's a problem with
25 having abandoned properties like that

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2 where the raccoons can go inside. So we
3 have a problem here. But I just can't
4 sit here and listen to you talk -- just
5 read that stuff, because I just think
6 you're insensitive to the needs of the
7 people who live in the City. They live
8 in row houses. They don't live in single
9 houses, the majority of them that are
10 having these problems.

11 So would you end your
12 testimony, please. Would you end your
13 testimony.

14 MS. KOBLAND: Yes, I will.

15 So my final remark was how we
16 answer the question -- will you answer
17 questions honestly when children see
18 these animals caught in a cage?
19 Sometimes they're left there for days on
20 end until someone comes by to kill it.
21 How will you explain this to a child that
22 these animals are just going to be
23 destroyed just because they're living
24 there?

25 And just because I live in the

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2 suburbs doesn't mean I'm insensitive
3 to -- I lived much of my life within a
4 city and I know exactly what the
5 challenges are, but I don't think it's an
6 issue of the animals. I think it's an
7 issue with these vacant properties or
8 properties that aren't properly boarded
9 up, when there are holes there. The
10 animals, they'll find a way in. If it's
11 not a raccoon, it's another one.

12 COUNCILWOMAN TASC0: Thank you
13 very much. Thank you for your testimony.

14 MS. KOBLAND: Thank you.

15 COUNCILWOMAN TASC0: Next.

16 Councilwoman Miller.

17 COUNCILWOMAN MILLER: Hi. I
18 have a question for Rick Schubert. You
19 said that they bring you raccoons all the
20 time. Who are "they"?

21 MR. SCHUBERT: The public
22 brings me raccoons.

23 COUNCILWOMAN MILLER: Okay.

24 And --

25 MR. SCHUBERT: The public

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2 brings me raccoons that are injured or
3 orphaned. I'm a licensed wildlife
4 rehabilitator. I provide them with
5 medical care and supportive care, and I
6 take them outside the City and following
7 state regulations and release them.

8 COUNCILWOMAN MILLER: Okay.

9 And I think you said also that you're
10 pretty knowledgeable about raccoons.

11 MR. SCHUBERT: I am.

12 COUNCILWOMAN MILLER: So what
13 do you do -- I mean, sure, we all know
14 the City has an issue with trash. We all
15 know that. We live here, too. But when
16 they're climbing on people's roofs trying
17 to get into their homes, what advice
18 would you give someone? And people kind
19 of think they're between the walls
20 because they hear them scratching. What
21 do they do?

22 MR. SCHUBERT: There's two
23 solutions to that problem. There is the
24 short-term fix and there's a long-term
25 fix. The short-term fix was what was

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2 explained by Mr. Abernathy with City
3 Animal Control. The long-term fix is
4 that the raccoons are not the problem.
5 It's the abandoned properties, the vacant
6 lots and the trash. And until those are
7 fixed, the raccoons will repopulate next
8 year. In other words, in 2012, you'll
9 have just as many raccoons.

10 COUNCILWOMAN MILLER: These are
11 occupied homes I'm talking about.

12 MR. SCHUBERT: Yes. Occupied
13 homes, correct.

14 COUNCILWOMAN MILLER: Not
15 abandoned.

16 MR. SCHUBERT: Correct. In the
17 occupied homes, Mr. Abernathy answered
18 that question.

19 COUNCILWOMAN MILLER: I'm
20 sorry. Say that again.

21 MR. SCHUBERT: I think in the
22 occupied homes that have raccoons living
23 in them, Mr. Abernathy answered that
24 question on how that is taken care of, by
25 Animal Control.

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2 COUNCILWOMAN MILLER: I know
3 that, but what can they do to keep
4 raccoons out of -- somehow, someway
5 they're getting in and in the walls.

6 MR. SCHUBERT: I can talk about
7 this all day. I don't want to take up
8 too much time, but I answer this phone
9 call every day. People call me on the
10 phone and ask me this question from the
11 City, from North Philadelphia, from West
12 Philadelphia.

13 COUNCILWOMAN MILLER: What's
14 your number?

15 MR. SCHUBERT: 215-482-8217 is
16 the number for the Schuylkill Wildlife
17 Rehabilitation Clinic. And how I answer
18 that question is, there is always a way
19 that the raccoon is getting in. If you
20 don't solve that problem, it will be
21 something else other than a raccoon. It
22 will be a possum, squirrels, skunks, you
23 name it. So you have to figure out how
24 the raccoons are getting into your house
25 and seal that up. My recommendation is

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2 hardware cloth, which is available at any
3 hardware store. Half-inch to
4 quarter-inch hardware cloth will keep any
5 animal out if it's tacked up inside,
6 holes in attics and things like that.

7 Number two, getting rid of the
8 animals that are there. There are many
9 things that will get rid of raccoons.
10 Raccoons do not like noise, smells,
11 sounds. You can put ammonia-soaked rags.
12 You could use loud music. You can use
13 lights. You can use clumps from cat
14 litter boxes in your attic. All of these
15 things are things that get raccoons out
16 of a property.

17 Number three, you have to look
18 at why the raccoon is there to begin
19 with, which is why -- they're not there
20 unless they have food. They're eating
21 food from somewhere. If you eliminate
22 the food, you eliminate the raccoons.
23 Simple as that. You eliminate the food,
24 you eliminate the raccoons. They can't
25 survive on air. They need to eat

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2 something.

3 COUNCILWOMAN MILLER: Well,
4 some people think that the parent is
5 leaving the babies in the wall, going
6 out, getting food and bringing it back.

7 MR. SCHUBERT: They do that,
8 yes.

9 COUNCILWOMAN MILLER: So there
10 is no food. They're just going out to
11 find food and then bring it back.

12 MR. SCHUBERT: Right. There's
13 food in the neighborhood. The raccoons
14 have a very small territory. So they're
15 finding food in the neighborhood.

16 COUNCILWOMAN MILLER: Okay. So
17 do you have a website? Do you have tips
18 on a website?

19 MR. SCHUBERT: I have --
20 raccoon issues are very complicated. I
21 prefer to deal with them on -- I'll talk
22 to the actual person and give them tips.
23 There is endless resources on the
24 Internet on how to exclude raccoons from
25 your property, but I will also speak to

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2 people individually on how to do it in
3 their case-by-case basis.

4 COUNCILWOMAN MILLER: Okay.

5 Thank you.

6 MS. REIBMAN: Could I just add
7 something. There's tips on the
8 Philadelphia Health Department's website.
9 There's two really nice handouts that
10 address those issues.

11 COUNCILWOMAN MILLER: Well, you
12 know, years ago when I got the call from
13 the Health Department, I actually went on
14 the website, and there's lots of
15 information on there, but everybody
16 doesn't have -- we have a digital divide
17 here in the City. So everybody doesn't
18 have access to a website. But that is
19 something that we could help educate
20 people on, maybe put it on government
21 access channel, all those kind of things.
22 I think we have to really be aggressive
23 with helping people understand the nature
24 of this problem here in the City, because
25 it is an issue. It's not manufactured,

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2 as you described, Christina. It is not a
3 manufactured problem. This Council has
4 to deal with real issues. The lady in
5 the back, the witness, real issues.
6 People that call me, real issues.
7 They're not making them up. And it's our
8 role and our responsibility to deal with
9 that. I just want to help educate
10 people, because this has been an ongoing
11 problem for years, and I see it just
12 continuing for years.

13 I don't want to live with a
14 raccoon or a possum, and those are the
15 two that we see all the time. When I
16 watch that animal show on TV, I mean,
17 they have people in Florida catching
18 alligators because they're posing a
19 threat. People see raccoons as a threat.
20 They're afraid of them. They don't know
21 about them.

22 We're not afraid of animals.
23 We're not afraid of dogs and cats and
24 animals we're familiar with, but we
25 don't -- we haven't learned how to live

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2 with wildlife. I don't want to live with
3 wildlife personally.

4 Thank you.

5 COUNCILWOMAN TASC0: Thank you.

6 Next. Would you come to the
7 table, please, Miss, and testify.

8 COUNCILMAN CLARKE: Madam
9 Chair?

10 COUNCILWOMAN TASC0: The Chair
11 recognizes Councilman Clarke.

12 COUNCILMAN CLARKE: Thank you,
13 Madam Chair. Madam Chair, I'm going to
14 have to leave the Chambers. I know I'm
15 not on the Committee, but I just would
16 like to ask for the Committee to give
17 favorable consideration. There is one
18 amendment. You know, I'll be real brief.

19 As we sit here today and
20 talk -- and Councilwoman just talked
21 about a digital divide -- it is clear
22 that we have a raccoon divide here,
23 because people in certain neighborhoods
24 take this in a very serious way and
25 people in other neighborhoods don't, and

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2 that's understandable, but it is a real
3 problem. It is a challenge that all of
4 the people who have that challenge have
5 to deal with on a daily basis.

6 So I would like to, at a
7 minimum, hope that the people would
8 understand that there are areas outside
9 of where you live or there are issues
10 outside of where you live that are as
11 important to those people.

12 Councilwoman said and the Chair
13 said it's our responsibility as
14 Councilmembers to deal with this problem,
15 and we're here today to try and deal with
16 this, and hopefully we can work with the
17 Administration to come up with some
18 solution, whatever it may be.

19 Thank you, Madam Chair.

20 COUNCILWOMAN TASCO: Thank you.

21 Would you state your name for
22 the record, please, and proceed with your
23 testimony.

24 MS. HALL: Thank you. My name
25 is Lee Hall. I'm Vice-President for

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2 Legal Affairs for a group called Friends
3 of Animals, who are an international
4 advocacy organization for animal welfare,
5 and I'm here today representing 308
6 current members in the City of
7 Philadelphia, and thank you, members of
8 Council, for hearing me out. My e-mail
9 is LeeHallatFriendsofAnimals.org, in case
10 there are any follow-up questions. I'll
11 be very brief today. I know you've been
12 here for an hour.

13 Let's make Philadelphia the
14 greenest city. That's the ambitious goal
15 of Mayor Nutter for Philadelphia, and
16 let's remember that green means respect
17 for other living beings within a
18 bio-community. Philadelphia is part of
19 the native range of raccoons. That's all
20 regions of Philadelphia. There is no
21 divide. Philadelphia is part of the
22 native range of these animals.

23 Regarding public health and
24 safety, both the Schuylkill Center for
25 Environmental Education, and I'm

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2 specifically referring to the Wildlife
3 Clinic, and also the U.S. Forest Service,
4 very simply, encourage people to stay
5 away from animals with unusual behavior
6 or appearance.

7 Attacks on humans by raccoons
8 are extremely rare and always the result
9 of the raccoon feeling threatened. As
10 for resolving the perceived conflicts or
11 the real conflicts, the issues facing
12 people on a day-to-day basis, trapping is
13 unlikely to resolve these issues because
14 of what Rick, the wildlife biologist, has
15 said, and, that is, the natural tendency
16 of raccoons to augment their reproductive
17 rate and then fill in. So if there's a
18 den around, the other raccoons will know
19 about it or quickly discover it. If
20 there are food around in the streets,
21 other animals will quickly discover that.

22 One 2008 study showed that the
23 costs of large-scale measures to
24 eradicate raccoons from the given area
25 for a certain time are usually many times

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2 higher than the cost of the damage done
3 by the raccoons. I verified this also
4 with the Schuylkill Center, particularly
5 their Wildlife Clinic, that that is
6 indeed the case.

7 One thing that hasn't been
8 brought up today or in the proposed
9 legislation is the benefits that raccoons
10 bring in the biological sense. They're
11 omnivorous. They are recyclers. They do
12 take leftovers from municipal waste and
13 they use it. They also control insects
14 in private and community gardens. Much
15 greener to respect animals' natural roles
16 than reach for pesticides. And also, as
17 Christina said, many people do -- and
18 this is an issue, too. Many people do
19 appreciate being able to see animals when
20 they're living in an urban environment.

21 We often find at Friends of
22 Animals that if a particular group of
23 animals is targeted in what they see is
24 an overbearing way, they'll try to
25 protect those animals, and that will

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2 exacerbate the situation, because the
3 last thing you want is somebody trying to
4 shelter animals or feed them more. That
5 will cause them to lose what natural fear
6 of us they have.

7 In conclusion, as Philadelphia
8 resident and Friends of Animals member
9 Bridget Irons, who is here today, has
10 said and has testified on paper, the
11 raccoon is here to stay. We must deal
12 with encounters such as this in a humane
13 way. No harm must come to raccoons in
14 our city, unquote.

15 Raccoons are noted for their
16 intelligence, as was mentioned. Studies
17 show that they're able to remember the
18 solutions that they found for problems
19 three years after learning them. So they
20 are beings to be respected. Their
21 welfare is an issue.

22 Legislation against them would
23 cause undue alarm and yet another
24 needless example of the concept, the idea
25 of animals as nuisances when, in reality,

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2 they are born and do belong to earth,
3 including Greater Philadelphia, as we do.

4 Thank you for hearing me out.

5 COUNCILWOMAN TASC0: Thank you
6 very much. I think the point here today
7 that the Councilman is trying to make is
8 that we receive calls about raccoons in
9 vacant houses next to people who don't --
10 who are being invaded. The question here
11 is what do we do about that.

12 Nobody is against the raccoons.
13 Nobody wants to kill the raccoons.
14 Nobody -- what they want to do is find
15 out from the City, if a person calls with
16 a house that's vacant with raccoons or
17 any other foreign -- other animal that's
18 a nuisance, what is the City going to do
19 about it. That is the question, and
20 that's the answer we want to get. That's
21 what we're trying to get to.

22 Thank you all for your
23 testimony.

24 Is there anybody else here to
25 testify on this bill?

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2 Come on.

3 (Witnesses approached witness
4 table.)

5 MS. SPEED: Good afternoon,
6 Councilmembers. My name is Sarah Speed.
7 I'm the Pennsylvania State Director of
8 the Humane Society of the United States,
9 and as my name implies, I will be brief.

10 I represent nearly 650,000
11 members within the Commonwealth of
12 Pennsylvania. However, I would like to
13 clarify that as Pennsylvania State
14 Director, I am a generalist and not a
15 wildlife biologist.

16 I am here today, though, to put
17 the resources of my organization at your
18 disposal to craft a humane and
19 comprehensive plan of action for dealing
20 with this problem. We have a number of
21 wildlife biologists who work with cities
22 and municipalities all over the country
23 to create solutions for dealing and
24 living with urban wildlife. We have an
25 urban wildlife haven program. We have a

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2 number of resources on our website,
3 including a list of humane ways to abate
4 raccoons, including some of the options
5 that were already listed today. Our
6 website is HumaneSociety.org. On that
7 left-hand side, there is a section you
8 can click on that says "wild neighbors,"
9 and it does have a listing and a specific
10 page just for raccoons and how to deal
11 with them.

12 So I would like to offer our
13 services to help the City craft a
14 cost-effective way to educate the public
15 on how they can help keep raccoons out of
16 their houses, how the City can
17 effectively and humanely deal with this
18 issue and respond to these calls about
19 vacant lots.

20 I have put together some
21 written testimony that does include also
22 my contact information, and I would be
23 available for any further questions from
24 the Committee.

25 COUNCILWOMAN TASC0: Thank you

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2 very much. I appreciate that offer of
3 support and also to know that you are
4 available to help us deal with this
5 issue. Thank you. He'll take your
6 testimony for the --

7 MS. SPEED: Thank you. I'm
8 afraid I took a spill on the way and
9 twisted my ankle.

10 COUNCILWOMAN TASC0: We'll put
11 a copy of your written testimony in the
12 record. Your full testimony will be in
13 the record.

14 MS. SPEED: Thank you very
15 much.

16 COUNCILWOMAN TASC0: Thank you
17 very much for coming. I appreciate it.

18 MS. LEVINSON: Hi there. My
19 name is Lisa Levinson and I want to do a
20 few things here. I run a Toad Detour,
21 which probably Councilman Curtis Jones is
22 aware of because --

23 COUNCILWOMAN TASC0: Would you
24 speak into the microphone. You have a
25 very soft voice.

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2 MS. LEVINSON: Okay. I thought
3 I was doing that.

4 So anyway, my name is Lisa
5 Levinson and I am the coordinator of the
6 Toad Detour. It's a project that's in
7 the district of Councilman Curtis Jones.
8 I also live in West Philadelphia and have
9 been participating for many years in
10 Project MEOW, which is a -- we rescue
11 wild cats, stray cats, that are in the
12 City. And so I have done quite a lot of
13 crawling in and out of a lot of these
14 areas that you're talking about, a lot of
15 the vacant lots and the alleyways and
16 trapping cats and been very active in a
17 lot of the local communities talking to
18 some of the neighbors and the residents.
19 And so they have -- many people actually
20 have talked about the cats and the
21 raccoons. They live together. They also
22 live with the possums in these
23 environments, and they cohabitate. So
24 there's a harmony that exists actually
25 out there in the world where these

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2 animals live.

3 My concern is that by going in
4 and trapping the raccoons, first of all,
5 I think it's going to be difficult to do
6 that without trapping the possums and
7 also the cats that are there. And that
8 most of the people that I spoke with, the
9 residents -- and mostly my contacts were
10 the West Philadelphia area around 44th
11 and Haverford area, and the residents
12 actually that I spoke to like the
13 raccoons. They feel that they help to
14 keep the rodent population down. They
15 also -- they take care of most of the
16 furred cats in the neighborhoods as well.
17 So I do believe that education is
18 important.

19 Some people are afraid of the
20 raccoons. They don't understand. Other
21 people are totally fine with them. So I
22 think it really behooves the City to
23 engage some of the wildlife
24 rehabilitators who we've heard here today
25 in being able to do some public

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2 programming just to teach local
3 residents. This happened in Germantown.
4 There were a lot of complaints about
5 raccoons, so some wildlife rehabbers got
6 together and spoke to the residents -- at
7 that time, I was in the Germantown
8 area -- and had discussions with the
9 local people there, and people got to
10 learn about this. And I actually myself
11 have talked to a lot of residents, just
12 what do we do when we see this raccoon,
13 and, Oh, it's really scary. And a lot of
14 them don't know that the animals are
15 generally more afraid of them than they
16 are -- than we are -- let's see. The
17 animals are more afraid of them than we
18 are of them. Well, I think you
19 understand what I mean.

20 So I'm not going to go on much
21 more, but I do want to advocate for these
22 animals, because they are part of the
23 landscape of the City. They've been here
24 for many, many years. Many times there
25 are people hanging out, not realizing

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2 that there's a little animal just within
3 a short distance of them. They mean no
4 harm to the people, even if you see them
5 walking around. They're not harmful. So
6 I think it's important, because these are
7 actually the wildlife that are around to
8 like really have like a taste of nature
9 and to understand that these animals
10 are -- they're here. They're part of the
11 landscape. So killing them, I don't
12 think it really helps any.

13 At least in Pittsburgh it
14 didn't help. They went through this
15 whole process. They did kill off all the
16 raccoons, and then the next year they had
17 the same exact problem.

18 One other really helpful
19 resource, because I do believe the same
20 problem that you feel you're having with
21 raccoons is the same thing you'll hear
22 about for furred cats. So there's a
23 group called Alley Cat Allies. They have
24 a website as well, and they have a lot of
25 information there about what's called the

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2 "vacuum effect," which I'm sure other
3 people spoke about. When you do take out
4 the animals, then they just repopulate
5 because the sources are there. So the
6 best solution I think would be to have a
7 public education program so that people
8 aren't terrified of these animals for no
9 reason, that they know who to call when
10 these things are going on.

11 Deb Welter is another great
12 local rehabber. She answers calls all
13 the time. People call and ask, What do I
14 do about this raccoon, and she gives them
15 specific instructions, very similar to
16 what Rick mentioned here.

17 So I think public education is
18 key. And I think that what I see in the
19 streets of Philadelphia is no different
20 today than it was ten years ago. It's
21 the same, same numbers of animals.
22 There's not any huge increase. There's
23 been no change.

24 Thank you.

25 COUNCILWOMAN TASC0: Thank you

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2 very much.

3 Is there anyone else here to
4 testify on this bill?

5 (No response.)

6 COUNCILWOMAN TASC0: Thank you.

7 There being no further
8 witnesses, we will close this public
9 hearing and go into our public meeting.

10 We do have an amendment that
11 has been offered for this bill, and the
12 Chair recognizes Councilwoman Brown to
13 submit the amendment for adoption.

14 COUNCILWOMAN BROWN: Madam
15 Chairwoman, I move that Bill No. 110565
16 be amended.

17 (Duly seconded.)

18 COUNCILWOMAN TASC0: It has
19 been moved and seconded that Bill No.
20 110565 be amended.

21 All in favor will say aye.

22 (Aye.)

23 COUNCILWOMAN TASC0: Is there
24 any opposition?

25 (No response.)

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2 COUNCILWOMAN TASC0: There
3 being none, the motion is accepted.

4 The Chair recognizes
5 Councilwoman Blondell Reynolds Brown to
6 move Bill 110552 out of -- I'm sorry; to
7 move Bill 110565, as amended, out of
8 Committee.

9 COUNCILWOMAN BROWN: Surely.
10 Madam Chairwoman, I move that Bill No.
11 110565, as amended, be reported out of
12 Committee with a favorable
13 recommendation.

14 Rules suspension?

15 COUNCILWOMAN TASC0: Suspension
16 of the rules.

17 (Duly seconded.)

18 COUNCILWOMAN TASC0: It has
19 been moved and seconded that Bill 110565
20 be reported out of Committee, as amended,
21 with a favorable recommendation and that
22 the rules of Council be suspended so this
23 bill can be heard at Council's next
24 session.

25 All in favor will say aye.

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2 (Aye.)

3 COUNCILWOMAN TASC0: Is there
4 any opposition?

5 (No response.)

6 COUNCILWOMAN TASC0: The motion
7 is carried. Thank you.

8 The Chair recognizes
9 Councilwoman Brown to move the
10 amendment -- the first bill we called up
11 we had no witnesses. I understand
12 there's someone who wants to testify on
13 Bill 110552. Would you come forward,
14 please.

15 I'm sorry. We have to go back
16 into the public hearing so you can
17 testify.

18 (Witness approached witness
19 table.)

20 MS. THOMPSON: Good afternoon.
21 Hard act to follow. I can't beat them,
22 raccoons.

23 My concern is the smoking. I
24 have to have smoking in my bar. My
25 business has dropped so bad that I'm

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2 going to have to close up. I mean, I
3 have no food in my place and I have --

4 COUNCILWOMAN TASC0: Would you
5 identify yourself, please, for the
6 record.

7 MS. THOMPSON: Pardon me?

8 COUNCILWOMAN TASC0: What is
9 your name, please?

10 MS. THOMPSON: Anna Marie
11 Thompson.

12 COUNCILWOMAN TASC0: Thank you.

13 MS. THOMPSON: 7th and Oregon.
14 I have the bar. In 1996, we applied for
15 it. We never got anything. We applied
16 again. We never got anything.

17 COUNCILWOMAN TASC0: You
18 applied for an exemption?

19 MS. THOMPSON: Yes, we did.
20 And when I called them, they said, Well,
21 if you don't get it in the mail, just do
22 what you're doing until you get it, and
23 that's what I did. I made them smoke.
24 And, of course, I got fined. The first
25 time they came in, they caught us, and we

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2 got fined.

3 But I just don't think it's
4 fair that they shouldn't be able to smoke
5 in my building. There is no food
6 whatsoever being sold in the building,
7 other than potato chips and stuff like
8 that. But this has got to -- I have to
9 get this accepted. I have to do this or
10 I have to close up. I mean, I need a
11 waiver or something.

12 COUNCILWOMAN TASC0: Okay.

13 Thank you.

14 MS. THOMPSON: The raccoons are
15 doing better than me right now.

16 COUNCILWOMAN TASC0: You're
17 doing just fine.

18 MS. THOMPSON: Thank you.

19 COUNCILWOMAN TASC0: Okay.
20 Thank you.

21 Thank you very much. This
22 ordinance was introduced by Councilwoman
23 Verna and it calls for providing for time
24 for you to obtain a waiver provision of
25 the bill to permit smoking. So we're

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2 going to move that out of Committee.

3 Thank you.

4 That ends our public hearing on
5 this Bill 110552. We'll go back into the
6 public meeting, and I ask Councilwoman
7 Brown to move to accept the amendment to
8 Bill 110552.

9 COUNCILWOMAN BROWN: Madam
10 Chairwoman, I move that Bill No. 110552
11 be amended.

12 (Duly seconded.)

13 COUNCILWOMAN TASC0: All in
14 favor will say aye.

15 (Aye.)

16 COUNCILWOMAN TASC0: Is there
17 any opposition?

18 (No response.)

19 COUNCILWOMAN TASC0: It has
20 been moved and seconded that Bill 110552
21 be amended.

22 There being no opposition, the
23 motion is carried.

24 The Chair recognizes
25 Councilwoman Brown to move Bill 110552

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2 out of Committee as amended, with a
3 suspension of the rules.

4 COUNCILWOMAN BROWN: Madam
5 Chairwoman, I move that Bill No. 110552
6 be reported out of this Committee with a
7 favorable recommendation and further move
8 that the rules of Council be suspended so
9 as to permit first reading at the next
10 scheduled session.

11 (Duly seconded.)

12 COUNCILWOMAN TASC0: It has
13 been moved and seconded that Bill 110552,
14 as amended, be reported out of Committee
15 with a favorable recommendation and that
16 the rules of Council be suspended so this
17 bill can be heard at Council's next
18 session.

19 All in favor will say aye.

20 (Aye.)

21 COUNCILWOMAN TASC0: Is there
22 any opposition?

23 (No response.)

24 COUNCILWOMAN TASC0: There
25 being none, the motion is carried.

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2 There being no other business
3 before this Committee, the Committee is
4 adjourned.

5 Thank you.

6 (Committee on Public Health and
7 Human Services adjourned at 2:40 p.m.)

8 - - -

1
2 CERTIFICATE

3 I HEREBY CERTIFY that the
4 proceedings, evidence and objections are
5 contained fully and accurately in the
6 stenographic notes taken by me upon the
7 foregoing matter on October 25, 2011, and that
8 this is a true and correct transcript of same.

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13 -----
14 MICHELE L. MURPHY
15 RPR-Notary Public
16
17
18

19 (The foregoing certification of this
20 transcript does not apply to any reproduction
21 of the same by any means, unless under the
22 direct control and/or supervision of the
23 certifying reporter.)
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25