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COUNCIL OF THE CITY OF PHILADELPHIA

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COMMITTEE ON LICENSES AND INSPECTIONS

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Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, October 23, 2007
1:20 p.m.

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PRESENT:

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COUNCILMAN DANIEL SAVAGE, CHAIR

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COUNCILMAN DARRELL L. CLARKE

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COUNCILMAN FRANK DiCICCO

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COUNCILWOMAN JOAN L. KRAJEWSKI

COUNCILWOMAN BLONDELL REYNOLDS BROWN

COUNCILMAN FRANK RIZZO

COUNCILMAN JACK KELLY

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BILLS 050743, 070539, 070820, 070821, 070556,
070697 and 070704

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Litigation Support Services

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COUNCILMAN SAVAGE: Good

3

afternoon. The Committee on Licenses and

4

Inspections is now in session.

5

I would like to note that Bill

6

Nos. 070556 and 070704 are being held.

7

Will the Clerk please read the

8

title of the first bill.

9

THE CLERK: Bill No. 070697, an

10

ordinance amending Section 10-609 of The

11

Philadelphia Code, entitled "Public

12

Urination and Defecation," by increasing

13

the fine for violations of such section,

14

all under certain terms and conditions.

15

COUNCILMAN SAVAGE: I'd like to

16

recognize that a quorum is present.

17

Members of the Committee joining us today

18

are Councilwoman Krajewski, Councilwoman

19

Blondell Reynolds Brown, Councilman Rizzo

20

and Councilman Clarke.

21

We will now hear testimony on

22

Bill No. 070697. Is there anyone here

23

from the Administration to testify?

24

Good afternoon.

25

MR. CRONAUER: Good afternoon.

1 10/23/07 - L&I - BILL 050743, ETC.

2 COUNCILMAN SAVAGE: Please
3 identify yourself for the record.

4 MR. CRONAUER: My name is Joe
5 Cronauer and I'm Executive Deputy Health
6 Commissioner. I'm here on behalf of the
7 Administration to support anything that
8 City Council could do to decrease the
9 likelihood of public urination.

10 Human waste has been a factor
11 for disease dissemination, disease spread
12 from human to human for as long as we
13 know, and it is indeed dangerous. That's
14 the reason why we develop sewers. That's
15 the reason why we encourage people to
16 wash their hands as often as possible,
17 which obviously you cannot do outside.

18 So there's a clear link between
19 human excrement and the spread of
20 disease, so we would encourage anything
21 that would be reducing outdoor public
22 urination.

23 COUNCILMAN SAVAGE: Okay.

24 Are there any questions from
25 the Committee members?

1 10/23/07 - L&I - BILL 050743, ETC.

2 (No response.)

3 COUNCILMAN SAVAGE: Thank you
4 for your testimony.

5 Bernard Guet.

6 Good afternoon.

7 MR. GUET: Bernard Guet.

8 I can go ahead?

9 COUNCILMAN SAVAGE: Yes.
10 Please proceed.

11 MR. GUET: I'm Bernard Guet.
12 I'm the Executive Director for Roxborough
13 Development Corporation, and I thank the
14 Council for the issue.

15 I see it as, in our
16 neighborhood, as an impact that there's
17 two level. One is a sharp term and it's
18 pretty obvious. It affects the quality
19 of life. We have a lot of family and
20 children in our neighborhood, and this
21 happen with mostly single adults. And
22 naturally when you are talking about
23 urination, it's connected to drinking,
24 drinking connected to party, party,
25 noise, loud music. If you have a party,

1 10/23/07 - L&I - BILL 050743, ETC.

2 you have to be loud. All these
3 pollutants affects everyone's life in our
4 neighborhood.

5 I have heard so many resident
6 at civic association at public meeting
7 complaining in front of the Police
8 Department or in front of the Managing
9 Director of the City that they cannot
10 sleep at night, that everything is
11 affected by not only the urination, but
12 also by what's linked to it. People come
13 to their yard and urinate in their yard.
14 With children around, it's absolutely
15 incredible. These same people will be
16 driving car at 2 o'clock in the morning
17 and leave the neighborhood.

18 This is one aspect of it, and I
19 would like to address the second aspect,
20 which is the long-term impact, at least
21 in our neighborhood.

22 What happen is that when you
23 are leaving every weekend of some Friday
24 and Thursdays too, you cannot sleep. At
25 certain point, you look at your clock and

1 10/23/07 - L&I - BILL 050743, ETC.

2 you say, Okay, I leave. People are
3 leaving and they sell their house, and
4 they cannot sell it to a family. It does
5 not happen. They sell it to an investor.
6 The investor cannot sell it to a family
7 and they sell it to young adults. And I
8 know that the Zoning Code call for three
9 maximum non-related adult, but it doesn't
10 happen like that. You have more than
11 that.

12 They have an attitude. They
13 have an attitude in their neighborhood.
14 They don't care about the neighborhood
15 and the City. I've seen somebody
16 urinating and say, I don't give a hm-hmm
17 about the neighborhood. This is the kind
18 of thing that we have to go through.

19 These young adult have money in
20 our neighborhood and they will disappear.
21 I'm looking at my second point, which is
22 the long-term effect of that. They're
23 going to leave the neighborhood, and
24 what's going to happen is that it's a
25 degradation of the neighborhood, of the

1 10/23/07 - L&I - BILL 050743, ETC.

2 house and so on. And there is already
3 some houses in Roxborough that are not
4 far from becoming a shell, because that's
5 the next step.

6 So if we as a City, we take
7 care of the major issue like the crime,
8 installing cameras, as been done, I think
9 it's very important to take care of what
10 seems to be a smaller issue and take care
11 of it now so ten years from now we don't
12 have to install cameras in Roxborough.

13 Thank you.

14 COUNCILMAN SAVAGE: Thank you
15 for your testimony.

16 Are there any questions from
17 members of the Committee?

18 (No response.)

19 COUNCILMAN SAVAGE: Thank you.

20 Mr. Levinson.

21 Good afternoon.

22 MR. LEVINSON: Good afternoon.

23 My name is Hillel Levinson. I'm
24 President of the Manayunk Development
25 Corporation and I'm here representing the

1 10/23/07 - L&I - BILL 050743, ETC.
2 Board of Directors of the Manayunk
3 Development Corporation and I believe
4 also the representatives of the Manayunk
5 Neighborhood Council, which is the
6 community organization involved in
7 Manayunk.

8 Clearly, we are strongly
9 supporting an increase in the fine for
10 public urination, but I think it's
11 important to point out that public
12 urination is really a symptom of a much
13 more serious illness in the City of
14 Philadelphia, and, that is, drunkenness,
15 because those two usually go hand in
16 hand. And we notice in the Manayunk and
17 Roxborough area and throughout that area
18 we're talking about, these young men and
19 women, by the way -- and public
20 urination, most people visualize that as
21 a male problem or a male issue. Let me
22 assure you, you can talk to the police
23 officers in the Fifth District and they
24 will very clearly tell you it is also
25 becoming a female issue in the Manayunk,

1 10/23/07 - L&I - BILL 050743, ETC.

2 Roxborough area.

3 But I would ask that City
4 Council look at the issue of drunkenness
5 in the City of Philadelphia. There
6 really is no enforcement going on today,
7 because everybody says it's somebody
8 else's job.

9 I just learned the other day
10 that if a bar is cited for serving
11 somebody who is visibly drunk and is then
12 cited, which takes a while for that to
13 happen, there's at least a six-month
14 delay before a hearing can be held. I
15 mean, that is unconscionable to allow
16 that kind of an operation to continue
17 because they just can't schedule hearings
18 on a citation on a valid problem.

19 So there's some very serious
20 problems, and I would hope that City
21 Council will look beyond just the issue
22 of increasing the fine for public
23 urination, to look at what really the
24 underlying illness is, and, that is,
25 these 21- to 35-year-olds, a lot of them

1 10/23/07 - L&I - BILL 050743, ETC.

2 living in the Manayunk, Roxborough area,
3 who just want to come out on a Thursday,
4 Friday, Saturday night and get themselves
5 hammered. I mean, I'm not talking about
6 having a couple drinks and enjoying an
7 Eagles game, if we can still enjoy an
8 Eagles game, but I'm talking about just
9 going out dedicated to getting themselves
10 hammered, and that's what then becomes
11 the issue in terms of problems within the
12 community.

13 So I would ask City Council to
14 look at the broader issue beyond just the
15 question, but hopefully at least increase
16 the fine. I understand you're going from
17 \$50 to \$300. These kids are, by the way,
18 a lot of them are very affluent. Three
19 hundred dollars probably isn't enough,
20 but at least it's a start. And I would
21 hope you will favorably report this out
22 of Committee and that City Council will
23 approve this ordinance. But please look
24 at the underlying illness in our City,
25 because it's a major, major problem.

1 10/23/07 - L&I - BILL 050743, ETC.

2 Thank you.

3 COUNCILMAN SAVAGE: Thank you.

4 Thank you for your testimony.

5 Are there any questions from
6 members of the Committee?

7 (No response.)

8 COUNCILMAN SAVAGE: No
9 questions from members of the Committee.

10 Ms. Griffin.

11 (No response.)

12 COUNCILMAN SAVAGE: Kathleen
13 Tomosky.

14 (No response.)

15 COUNCILMAN SAVAGE: Not here.

16 Okay.

17 Peter Rose.

18 Good afternoon.

19 MR. ROSE: Good afternoon. My
20 name is Peter Rose. I am a professor at
21 the University of the Arts and I have
22 lived in Roxborough, Manayunk since 1970.

23 I want to affirm the comments
24 of the two preceding witnesses. That
25 neighborhood is right now the site of an

1 10/23/07 - L&I - BILL 050743, ETC.

2 incredible cultural conflict. You have
3 homeowners who have lived there 30, 40
4 years, pay taxes, bastions of
5 working-class and middle-class society,
6 and you have each night a procession of
7 people coming up from the bars on Main
8 Street who think it's great sport to
9 urinate in our alleys, in our front
10 yards, in the parking lots, both men and
11 women, as Hillel pointed out. I would go
12 further and actually draw your attention
13 to the witnessed fact that there is also
14 public fornication going on in our front
15 yards.

16 You're probably familiar with
17 the quality-of-life thinking about the
18 Broken Windows Theory that if you allow
19 these kinds of behaviors to proliferate,
20 you eventually end up with serious
21 problems, and I think we're at that cusp
22 right now.

23 I'm here to support this bill.
24 I think that many of these people who are
25 participating in this behavior, they're

1 10/23/07 - L&I - BILL 050743, ETC.
2 not homeless. They don't have mental
3 problems. They're arrogant and
4 indifferent. They think it's great fun
5 to rile up the neighborhood, and I think
6 something needs to be done on a financial
7 level to make them pay for what they're
8 doing. These are affluent kids. They
9 can afford -- it should even be higher
10 than 300 bucks.

11 But this neighborhood is in
12 serious jeopardy right now, and I think
13 there are larger issues, as Hillel
14 pointed out, zoning issues, a number of
15 people living in these households, the
16 kind of culture they bring with them,
17 which obviously you can't address at this
18 point, but this ordinance would do
19 something, I think, to address the
20 problem.

21 COUNCILMAN SAVAGE: Thank you
22 for your testimony.

23 Are there any questions from
24 members of the Committee?

25 (No response.)

1 10/23/07 - L&I - BILL 050743, ETC.

2 COUNCILMAN SAVAGE: Is there
3 anybody else here to testify on Bill No.
4 070697?

5 (No response.)

6 COUNCILMAN SAVAGE: Will the
7 Clerk please read the title of the next
8 bill.

9 THE CLERK: Bill No. 050743, an
10 ordinance amending Title 4, Subcode "PM,"
11 the Philadelphia Property Maintenance
12 Code, to add requirements for the owners
13 of one-family or two-family rental
14 properties to have a local agent when the
15 owner resides outside of the City limits,
16 all under certain terms and conditions.

17 COUNCILMAN SAVAGE: Good
18 afternoon.

19 MR. HAIGLER: Good afternoon.
20 Good day, Councilman Savage and members
21 of the Committee. I am Otis Haigler,
22 Jr., Director of Legislative Affairs for
23 the Department of Licenses and
24 Inspections. Today I'm here to provide
25 testimony on Bill 050743, which, if

1 10/23/07 - L&I - BILL 050743, ETC.
2 enacted, will extend the requirements for
3 designating an agent that is authorized
4 to receive City notices to rental
5 property owners of one- to two-family
6 dwellings when such owners are not City
7 residents.

8 The Department of Licenses and
9 Inspections supports passage of this
10 bill, as it will provide an additional
11 tool to seek compliance of violations
12 that are found in this type of occupancy.

13 Currently, the provisions of
14 the Property Maintenance Code, Section PM
15 102.6.5 only require the designation of
16 an agent for an absentee landlord for
17 dwellings containing three or more rental
18 units, rooming houses or dormitories.
19 The proposed bill will extend this
20 requirement to single-family homes and
21 duplexes.

22 By extending this requirement,
23 it will ensure that the City has a local
24 contact person listed for the rental
25 property who is authorized to receive

1 10/23/07 - L&I - BILL 050743, ETC.
2 notices that are issued by the City to
3 the property owner. We believe this will
4 expedite corrective action being taken
5 regarding violations that have been
6 documented on the property. It also
7 provides the City with a local address
8 where subpoenas can be served demanding
9 that the owner appear in court to respond
10 to code enforcement complaints if that
11 person fails to comply with the violation
12 notices.

13 Owners found to be in violation
14 of this provision will be issued a \$75
15 ticket, as permitted under Section 1-112
16 of The Philadelphia Code, and will be
17 required to designate an agent for the
18 property and provide this information to
19 the Department.

20 Thank you for the opportunity
21 to provide the Department's testimony. I
22 would be happy to answer any questions.

23 COUNCILMAN SAVAGE: Thank you.

24 I'd like the record to reflect
25 that Councilman Kenney is now present --

1 10/23/07 - L&I - BILL 050743, ETC.

2 Kelly, excuse me. Councilman Kelly is
3 now present at the Committee.

4 Mr. Haigler, can you define
5 "agent"?

6 MR. HAIGLER: An agent is
7 someone who is designated by the owner to
8 receive notices on the owner's behalf.
9 They're not the responsible party for the
10 property. The responsible party for the
11 property is still the legal licensed
12 owner of the property or the registered
13 owner of the property. The agent is the
14 one who is designated by the owner to
15 receive notices and to serve in the
16 owner's absence to not necessarily take
17 the corrective action but to receive
18 those notices.

19 COUNCILMAN SAVAGE: Thank you.

20 Are there any questions from
21 members of the Committee?

22 (No response.)

23 COUNCILMAN SAVAGE: Thank you.

24 Thank you for your testimony.

25 MR. HAIGLER: Thank you.

1 10/23/07 - L&I - BILL 050743, ETC.

2 COUNCILMAN SAVAGE: Is there
3 anyone else here to testify on Bill No.
4 050743?

5 MR. LEVINSON: If I may.

6 I'm sorry. I didn't realize
7 this bill was coming up, but it's an
8 issue in the Manayunk area also. We
9 really have a serious problem, in that
10 there are the -- and one of the people
11 testifying indicated there's a lot of
12 single homes that families have moved out
13 of and now we have two, three, four, five
14 college students or young adults living
15 in that house.

16 COUNCILMAN SAVAGE: Just for
17 the record, just can you state your name
18 for the record.

19 MR. LEVINSON: Oh, I'm sorry.
20 I'm still Hillel Levinson.

21 COUNCILMAN SAVAGE: Different
22 bill, so we want to put it on the record.

23 MR. LEVINSON: Thank you. I'm
24 sorry.

25 COUNCILMAN SAVAGE: I'm sorry.

1 10/23/07 - L&I - BILL 050743, ETC.

2 MR. LEVINSON: And we don't
3 have any way of getting access to the
4 owner because they live in Florida or New
5 York or some other location like that.

6 The only thing I'd like to -- I
7 think the language in the bill says
8 "local." I think we have to be -- I
9 don't know what "local" means, but in my
10 mind, that doesn't necessarily mean in
11 the City of Philadelphia, and I think the
12 language should be amended to specify
13 that the agent designated has to live in
14 or be available in the City of
15 Philadelphia, because otherwise you get
16 into a service problem that may be at
17 issue. So with that additional comment,
18 but I would encourage enactment of this
19 ordinance also.

20 Thank you.

21 COUNCILMAN SAVAGE: Thank you.

22 Are there any questions from
23 members of the Committee?

24 (No response.)

25 COUNCILMAN SAVAGE: Thank you.

1 10/23/07 - L&I - BILL 050743, ETC.

2 Is there anybody else here to
3 testify on Bill No. 050743?

4 (No response.)

5 COUNCILMAN SAVAGE: If there's
6 nobody here to testify on 050743, will
7 the Clerk please read the title of the
8 next bill.

9 THE CLERK: Bill No. 070539, an
10 ordinance amending Section 9-627 of The
11 Philadelphia Code, entitled "Commercial
12 Establishments on Residential
13 Blockfaces," to extend the scope of the
14 ordinance to include certain
15 establishments located on corner lots, to
16 require certain establishments to display
17 a poster indicating that the
18 establishment is subject to the terms of
19 this ordinance and to increase the
20 penalties for violations of the
21 ordinance, all under certain terms and
22 conditions.

23 COUNCILMAN SAVAGE: Good
24 afternoon. Back so quickly.

25 MR. HAIGLER: Yes. Good day,

1 10/23/07 - L&I - BILL 050743, ETC.
2 Councilman Savage and members of the
3 Committee. I am Otis Haigler, Jr.,
4 Director of Legislative Affairs for the
5 Department of Licenses and Inspections.
6 Today I'm here to provide testimony on
7 Bill No. 070539, which, if enacted, will
8 amend provisions of The Philadelphia Code
9 related to the closing times for
10 businesses located on a residential
11 blockface.

12 The Department of Licenses and
13 Inspections supports this amendment, as
14 it will provide clarification with regard
15 to when a business would be subject to
16 comply with the provisions of this
17 section of the code related to its
18 closing time.

19 Currently, a business is only
20 subject to the provisions related to the
21 11:00 p.m. closing time when such
22 business address as assigned by the Board
23 of Revision of Taxes is indicated as part
24 of the block that contains 80 percent
25 residential occupancy. For corner

1 10/23/07 - L&I - BILL 050743, ETC.
2 properties, which most of these are, if
3 the business address as assigned by the
4 BRT is indicated as being part of an
5 adjacent street which is predominately
6 commercial, the provisions of this
7 section technically could not be enforced
8 even though physically the business is
9 located at the end of a block that
10 includes residences. This ambiguity has
11 caused many problems in the past related
12 to enforcement.

13 Because the Department of
14 Licenses and Inspections is not a 24-hour
15 operation, the current provisions related
16 to the 11:00 p.m. closing has in the past
17 been enforced by the Police Department
18 through the issuance of a \$75 ticket to
19 the business owner for violations of the
20 provision. Our policy is to issue an
21 "Intent to Cease Letter" to the owner of
22 the business notifying him or her that
23 continued violation of the closing time
24 provision will result in the Department
25 issuing a "Cease Operations Order" for

1 10/23/07 - L&I - BILL 050743, ETC.

2 the business and the posting of a notice
3 indicating same on the business.

4 Since the enactment of the law
5 in 2005 related to the 11:00 p.m.
6 closing, we have followed this policy and
7 have issued between 10 to 15 Cease
8 Operation Orders to the owners of
9 businesses in violation of the closing
10 provisions.

11 However, Council and the public
12 should be made aware that the mere
13 issuance of a Cease Operation Order is no
14 guarantee that the business will remain
15 closed once the order has been issued,
16 since the owner of the business can
17 appeal L&I's order to either the Board of
18 L&I Review, which is an independent
19 appeals board, or to the Court of Common
20 Pleas to seek an injunction against the
21 Department and, if the appeal is
22 successful, prohibits our enforcement of
23 the Cease Operation Order.

24 Notwithstanding what I have
25 mentioned above, we will continue to do

1 10/23/07 - L&I - BILL 050743, ETC.
2 everything in our power to act
3 appropriately with regard to the
4 provisions of this bill should it pass in
5 Council and it is signed into law by the
6 Mayor.

7 Thank you for the opportunity
8 to provide the Department's testimony. I
9 will be happy to answer any questions.

10 COUNCILMAN SAVAGE: Thank you
11 for your testimony.

12 The Chair recognizes Councilman
13 Rizzo.

14 COUNCILMAN RIZZO: Mr. Haigler,
15 could you explain to me, an L&I
16 inspector, some areas they call it Code
17 Enforcement, what authority do they have
18 if there's a construction permit and the
19 inspector wants to enter the property to
20 make a visual inspection of the ongoing
21 work to make sure that it conforms with
22 the work that they've applied for or what
23 you just described, being able to enter
24 an establishment and -- what's the word
25 I'm looking for -- issue a Cease Order,

1 10/23/07 - L&I - BILL 050743, ETC.

2 Stop Work or whatever? Can a person
3 prevent that person from coming in, and
4 what authority do they have if someone
5 would try to prevent them from entering?

6 MR. HAIGLER: Technically all
7 licensed businesses give the Department
8 the authority to enter the business
9 during reasonable time to conduct
10 inspections. That's in the code already.
11 The code already provides for inspectors
12 to be able to conduct inspections during
13 reasonable time periods, and by virtue of
14 having a license or a permit, you're
15 giving the Department permission, so to
16 speak, to enter those premises at those
17 time periods to conduct its reasonable
18 inspection.

19 Now, if the permission is
20 refused, then the Department can take
21 whatever action it needs to take with
22 regard to the license itself. We could
23 suspend or revoke the license or we could
24 suspend or revoke the permit.

25 COUNCILMAN RIZZIO: Is that the

1 10/23/07 - L&I - BILL 050743, ETC.

2 same with a building permit?

3 MR. HAIGLER: With a building
4 permit, you're giving us permission to
5 actually do the inspection to determine
6 whether or not the permit is in
7 compliance with -- or the work that's
8 being done is in compliance with the code
9 or the permit that was issued. The
10 inspectors could issue a Stop Work Order
11 on the job until we can visually inspect
12 that permit.

13 COUNCILMAN RIZZO: Thank you.

14 MR. HAIGLER: You're welcome.

15 COUNCILMAN SAVAGE: Are there
16 any other questions from members of the
17 Committee?

18 The Chair recognizes Councilman
19 Clarke.

20 COUNCILMAN CLARKE: Thank you,
21 Mr. Chairman.

22 Good afternoon, Mr. Haigler.

23 MR. HAIGLER: Good afternoon.

24 COUNCILMAN CLARKE:

25 Mr. Haigler, I need to get some clarity.

1 10/23/07 - L&I - BILL 050743, ETC.

2 You reference in your testimony the 2005
3 bill, which I believe I sponsored.

4 MR. HAIGLER: That's correct.

5 COUNCILMAN CLARKE: And in that
6 particular bill, it referenced the
7 residential character of the block that
8 determined the eligibility of enforcement
9 on this bill.

10 MR. HAIGLER: Initially --

11 COUNCILMAN CLARKE: For these
12 particular properties.

13 MR. HAIGLER: Well, initially
14 it did, but I think with amendments that
15 were made to that bill, it also extended
16 it to look at the BRT address of the
17 business itself. If the BRT address of
18 the business itself was not designated
19 for the residential block but maybe the
20 commercial block, I believe that's where
21 the confusion came in.

22 COUNCILMAN CLARKE: Did you
23 bring up that --

24 MR. HAIGLER: I did.

25 COUNCILMAN CLARKE: -- at the

1 10/23/07 - L&I - BILL 050743, ETC.

2 time? Did you make a recommendation that
3 we amend --

4 MR. HAIGLER: Well, it wasn't
5 in the original bill. Those were
6 amendments that were made subsequent to
7 the introduction of -- the bill was
8 amended twice and I believe a couple
9 times it was amended on the floor of
10 Council. That was not in the original
11 introduction, the bill that was
12 introduced. Those amendments were placed
13 in the bill subsequent to its
14 introduction, subsequent to its Committee
15 hearing.

16 COUNCILMAN CLARKE: Okay. Does
17 this amendment at all determine or change
18 the percentage of the designation as a
19 residential block?

20 MR. HAIGLER: It doesn't change
21 the percentage of the designation. What
22 it does is, it clears up the fact that
23 physically if the business is located at
24 the end of a block, regardless of whether
25 its address extends from the block that's

1 10/23/07 - L&I - BILL 050743, ETC.
2 commercial, as long as it's located at
3 the end of a residential block, it's
4 subject to the provisions of this section
5 of the code.

6 COUNCILMAN CLARKE: If it's in
7 the middle of the block, is it subject to
8 this provision?

9 MR. HAIGLER: If it's in the
10 middle of the block, yes, and more so. I
11 think where the confusion came in was for
12 the corner properties, where corner
13 properties, even though the business was
14 located at the end of the block
15 physically, it was at the corner and the
16 adjacent street may have been commercial,
17 whereas the corner where the business was
18 located was still on the end of a
19 residential block. And for the public,
20 they weren't going to split hairs like
21 that trying to figure out that because
22 it's on --

23 COUNCILMAN CLARKE: Exactly.
24 Okay. Thank you.

25 Thank you, Mr. Chairman.

1 10/23/07 - L&I - BILL 050743, ETC.

2 COUNCILMAN SAVAGE: You're
3 welcome.

4 The Chair recognizes Councilman
5 Rizzo.

6 COUNCILMAN RIZZO: I'm fine.

7 COUNCILMAN SAVAGE:
8 Councilwoman Blondell Reynolds Brown.

9 COUNCILWOMAN BROWN: I'm fine.

10 COUNCILMAN SAVAGE: Thank you.

11 Are there any other questions
12 from members of the Committee?

13 (No response.)

14 COUNCILMAN SAVAGE: Thank you,
15 Otis.

16 MR. HAIGLER: I do understand
17 that there are some amendments that are
18 going to be offered today and I'm not
19 prepared to address those amendments.
20 Those amendments will have to be reviewed
21 by the Law Department. So we're not able
22 to comment or able to sign off as an
23 approval to the amendments until they're
24 reviewed by the Law Department first.

25 COUNCILMAN SAVAGE: Thank you,

1 10/23/07 - L&I - BILL 050743, ETC.

2 Otis.

3 I understand there's a
4 representative from the DA's Office to
5 testify here today.

6 (No response.)

7 COUNCILMAN SAVAGE: Okay.

8 Steve Masters.

9 Good afternoon.

10 MR. MASTERS: Good afternoon,
11 Chairman Savage, members of the
12 Committee. My name is Steven David
13 Masters. I'm staff attorney to City
14 Council, and I'm here today to testify on
15 Bill No. 070539 at the request of Council
16 President Verna, who is the author of the
17 legislation.

18 Today, Council President Verna
19 wishes to offer an amendment to this
20 legislation. The amendment has been
21 distributed to all the members of the
22 Committee. Let me know if any of you
23 need another one.

24 The amendment basically does
25 two things. It clarifies that the

1 10/23/07 - L&I - BILL 050743, ETC.
2 establishments that will become -- that
3 will have to close at 11 o'clock that are
4 on corners are going to be take-out
5 restaurants. It's not going to apply to
6 all businesses that are corner
7 businesses, but simply take-out
8 restaurants.

9 And the second clarification on
10 the amendment is that in the requirements
11 for a poster to be posted by every
12 business that has to close at 11:00, the
13 amendment clarifies that a reasonable fee
14 can be charged by L&I for this poster
15 that the businesses will then go and
16 receive from L&I.

17 Basically this legislation, as
18 Mr. Haigler testified, seeks to correct a
19 flaw in the existing bill, which is that
20 many of these nuisance establishments
21 that have been plaguing the neighborhoods
22 are corner stores and their official
23 address is on the commercial corridor
24 even though they also border on a
25 residential street, and people live

1 10/23/07 - L&I - BILL 050743, ETC.

2 literally feet away from these
3 establishments.

4 All throughout the City in our
5 Local Nuisance Task Forces we have
6 discovered and encountered problem after
7 problem from corner establishments,
8 primarily or almost exclusively take-out
9 restaurants. So Council President Verna
10 sought to amend the ordinance to address
11 this problem, and these amendments that
12 we presented today further clarify it and
13 we hope make it a stronger bill.

14 I'm happy to answer any
15 questions.

16 COUNCILMAN SAVAGE: Thank you.

17 So specifically the amendments
18 are to take out "establishments" and make
19 it "take-out restaurant" so it's
20 restricted towards take-out restaurants?

21 MR. MASTERS: For the new
22 category that we're -- the legislation
23 that Councilman Clarke authored back in
24 2004 is for all commercial establishments
25 on a residential block. It could be

1 10/23/07 - L&I - BILL 050743, ETC.
2 anything. When we sought to include
3 corner stores in that, we realized that
4 we needed to make that definition more
5 narrow. We didn't want to include
6 establishments that are not a problem,
7 and there are many establishments that
8 are quite an asset to a community and may
9 be open later hours, like a Wawa or a
10 Rite Aid. We certainly don't want to
11 foreclose those kind of opportunities.
12 So we are amending it. We're asking you
13 to amend it for just the corner store
14 portion of the law to just apply to
15 take-out restaurants.

16 The original ordinance will
17 stay all commercial establishments on a
18 residential blockface, but for the new
19 category of corner stores, we're saying
20 just take-out restaurants.

21 COUNCILMAN SAVAGE: Okay.

22 Thank you.

23 Are there any other questions
24 from members of the Committee?

25 (No response.)

1 10/23/07 - L&I - BILL 050743, ETC.

2 COUNCILMAN SAVAGE: Thank you
3 for your testimony.

4 Will the Clerk please read the
5 title of the next bill.

6 I'm sorry. I apologize. I
7 understand there's a representative from
8 Senator Williams' office to testify on
9 Bill No. 070539.

10 Hi. Could you please identify
11 yourself for the record.

12 MS. CHAVOUS: Thank you. My
13 name is Dawn Chavous and I'm here
14 representing Senator Anthony H. Williams,
15 who could not be here. He's in
16 legislative session in Harrisburg today.
17 And we did submit testimony, a written
18 letter, that he asked that I read to the
19 Committee, which is as follows: "Dear
20 Committee Members, I write to express my
21 support for City Council Bill No. 070539
22 to amend the Commercial Establishment on
23 Residential Blockfaces section of The
24 Philadelphia Code. I encourage the
25 Committee to stand with Council President

1 10/23/07 - L&I - BILL 050743, ETC.

2 Verna, in a collective effort, to
3 eliminate nuisance establishments as she
4 strives to improve the quality of life
5 and enhance safety throughout the City of
6 Philadelphia.

7 "In response to the growing
8 problems created by nuisance
9 establishments, I authored what
10 eventually became known as Act 39 of
11 2005. This Act delivered to Philadelphia
12 the necessary tools to regulate
13 'stop-n-go' establishments. As I fought
14 to get Act 39 through the Pennsylvania
15 General Assembly, Council President Verna
16 readily lent her support to the measure.
17 In doing so, she underscored her
18 commitment towards eliminating nuisance
19 establishments and protecting our
20 neighborhoods from the crime and blight
21 that they encourage. The passage of Act
22 39 is an example of how partnerships
23 between state and local officials can
24 yield effective results for the
25 betterment of our city.

1 10/23/07 - L&I - BILL 050743, ETC.

2 "Therefore, it is no surprise
3 that Council President Verna is
4 continuing the mission of limiting the
5 effects of nuisance establishments in our
6 neighborhoods. I readily offer my
7 support of this important legislation and
8 encourage both the Committee on License
9 and Inspections and the Council as a
10 whole to support its enactment. While I
11 encourage the growth of business
12 enterprises throughout our City, we must
13 take a stand against those entities that
14 have become a detriment to our blocks, a
15 nuisance to our residents and a hazard to
16 our community.

17 "Thank you in advance for your
18 commitment to a better, brighter and
19 safer Philadelphia.

20 Sincerely, Anthony H. Williams,
21 Pennsylvania Senate."

22 Thank you.

23 COUNCILMAN SAVAGE: Thank you
24 for your testimony.

25 Are there any questions from

1 10/23/07 - L&I - BILL 050743, ETC.

2 members of the Committee?

3 (No response.)

4 COUNCILMAN SAVAGE: Is there
5 anybody here to testify on 070539?

6 Good afternoon. Would you
7 please identify yourself for the record.

8 MS. SIENA: Laura Siena, West
9 Mt. Airy Neighbors.

10 Mr. Chairman Savage and members
11 of City Council's Committee on Licenses
12 and Inspections, thank you for giving me
13 the opportunity to speak to you today.
14 My name is Laura Siena, as I said, and I
15 represent West Mt. Airy Neighbors, a
16 community-based volunteer organization
17 committed to preserving and enhancing the
18 quality of life in its richly diverse
19 urban neighborhood.

20 An experience we have had with
21 a business in our community illustrates
22 the importance of the legislation you're
23 considering today, the importance to the
24 health of our communities, that is.

25 We have a take-out Chinese

1 10/23/07 - L&I - BILL 050743, ETC.
2 restaurant, the Imperial Chinese, at the
3 corner of Germantown Avenue and West
4 Durham Street. This business is in the
5 very heart of Mt. Airy's commercial
6 district, a part of the neighborhood
7 which has been the focus of extraordinary
8 efforts towards renewal and reinvestment
9 on the part of our CDC, Mt. Airy USA,
10 elected officials, property and business
11 owners and other stakeholders over the
12 last ten and more years.

13 The address of this business is
14 now 1 West Durham, but formerly it was
15 7134 Germantown Avenue, and in that
16 change lies part of our story.

17 For many years, this business
18 has attracted young men who hang out
19 outside and sometimes purchase the
20 cigarettes, doctored as blunts or not,
21 which are frequently sold at take-out
22 establishments of this type. These young
23 men intimidate passers-by and in one case
24 beat up an employee of the coffee shop
25 across the street.

1 10/23/07 - L&I - BILL 050743, ETC.

2 A case from late 2005, when two
3 men held up at gunpoint a couple walking
4 their dog just a block from Imperial
5 Chinese, illustrates this problem well.
6 Fortunately, these men were convicted. I
7 am quoting from the letter that West Mt.
8 Airy Neighbors sent in May 2006 to Judge
9 Harold Kane in advance of the sentencing
10 hearing.

11 Quote, "The defendants were
12 apprehended within minutes of the crime
13 outside Imperial Chinese Restaurant at
14 the corner of West Durham Street and
15 Germantown Avenue. This fact illustrates
16 one of the ongoing problems we have in
17 our Germantown Avenue commercial
18 corridor: young men hanging outside of
19 Imperial Chinese, intimidating passers-by
20 and making our economic development
21 initiatives more difficult.

22 "While we had known for a long
23 time that these young men might not be
24 pillars of society, it took this incident
25 of armed robbery last October to awaken

1 10/23/07 - L&I - BILL 050743, ETC.

2 the neighborhood to exactly what kind of
3 people had been frequenting that corner.
4 We were shocked and alarmed, and this
5 incident was discussed widely among
6 community groups and the staffs of our
7 elected officials.

8 "This concern, in turn, served
9 as an impetus for local block groups to
10 become much more active in patrolling
11 this area and for local businesses to get
12 up in arms and join with those block
13 groups to focus on public safety. They
14 are now sponsoring commendable activities
15 such as sit-outs in front of Imperial
16 Chinese, block clean-ups, et cetera,"
17 close quote.

18 Those sit-outs did take place
19 and there have been many block clean-ups
20 in the intervening months. However, many
21 of the worst activities have taken place
22 when neighbors have long since left their
23 sit-outs and gone to bed. They happen
24 late at night.

25 Clearly, the need was to have

1 10/23/07 - L&I - BILL 050743, ETC.

2 the place closed at 11:00 p.m. We were
3 not covered by current law, so we needed
4 to explore more creative alternatives.

5 With the invaluable assistance
6 of members of the Mt. Airy Local Nuisance
7 Business Task Force and the cooperation
8 of the property owner, we were able to
9 work with the Bureau of -- Board of
10 Revision of Taxes to change the address
11 of this building to 1 West Durham Street,
12 which is a 95 -- 98 percent residential
13 block. Since then, the 11:00 p.m.
14 closing time has gone into effect.

15 However, this was a somewhat
16 unusual approach to solving this serious
17 community problem. The police in
18 particular -- and we depend on them
19 because this stuff goes on at night when
20 they're the only ones around, not L&I --
21 have been hesitant to enforce the 11:00
22 p.m. closure, as they had not previous
23 experience with this kind of address
24 change. We understand that. With the
25 passage of this bill, this would no

1 10/23/07 - L&I - BILL 050743, ETC.

2 longer be an issue.

3 I know that businesses of this
4 kind bedevil residential areas all over
5 Philadelphia, particularly when they are
6 near commercial corridors. It is
7 essential that the safety and peace of
8 residents be considered a priority. This
9 legislation will be an important factor
10 in this and I hope you will support it.

11 Thank you very much.

12 COUNCILMAN SAVAGE: Thank you.
13 Thank you for your testimony.

14 Are there any questions from
15 members of the Committee?

16 (No response.)

17 COUNCILMAN SAVAGE: Thank you.

18 We will now move on to the next
19 bill. Will the Clerk please read the
20 title of the next bill.

21 Strike that from the record.

22 Could you please identify
23 yourself for the record.

24 MS. RIVERA: Yes. Hi. My name
25 is Susan Rivera. I'm here on behalf of

1 10/23/07 - L&I - BILL 050743, ETC.

2 the Bill 070339 -- I'm sorry; 05.

3 I'm here because I read what it
4 said. I live on Randolph Street, 3700.
5 I've been there for 21 years. And
6 there's a Chinese restaurant, take-out
7 restaurant, on that corner that's been
8 there longer than me, and we have
9 problems with this because last year we
10 were really happy that the Captain of the
11 25th District was able to close them down
12 or try to close them down at 11 o'clock.
13 Then all of a sudden, it stopped. We
14 didn't know why.

15 After speaking with the
16 Captain, he told me that it was because
17 he was -- that Chinese restaurant is
18 right on the corner of Erie Avenue and
19 Randolph Street, and although they would
20 be considered 523 Erie, their address is
21 3700 to 3702 Erie Avenue.

22 Well, for many years, we have
23 tried to get them to close down early and
24 we weren't able. And now we found out
25 that because you're in a commercial area,

1 10/23/07 - L&I - BILL 050743, ETC.
2 they don't have to close at 11:00. So
3 now he's been closing at 4 o'clock in the
4 morning again. And we don't sleep,
5 because we have kids that are coming by
6 with their radios loud in their car
7 blasting, they're fighting, they're
8 hanging in that corner. They're buying
9 blunts. They're buying loosies, which
10 are loose cigarettes. They're doing so
11 much on that corner that Randolph Street
12 doesn't sleep, whether it's 3700 or 3600.

13 Now, 3600 Randolph has a
14 school. Across from that is a locksmith
15 and then a lawyer's office. They're all
16 closed by 5:30, but this restaurant is
17 closing at 4:00 in the morning. When we
18 tell them you have to close earlier,
19 he'll close 2 o'clock and he'll say,
20 Well, we can close at 2 o'clock because
21 we're on Erie Avenue.

22 And my concern is that we don't
23 sleep. We just don't sleep. And we
24 really need to sleep, basically.

25 I've been able to make a

1 10/23/07 - L&I - BILL 050743, ETC.
2 communication with the Chinese restaurant
3 owner, and he says that because -- he
4 talked to the Captain. He can close any
5 time he wants, and we really don't want
6 that. And with this bill, I mean, the
7 Captain of the 25th or the L&I can
8 enforce him closing at 11 o'clock.

9 We were, like I said, last year
10 when they were closing at 11:00, we were
11 happy because we were able to sleep. We
12 found it strange that we didn't hear a
13 fight or the loud music or the graffiti
14 wasn't on the wall as much. Every day I
15 get up and I see graffiti on their wall,
16 and I paint it off. And if I'm not the
17 one painting it off, anti-graffiti is
18 painting it off. The neighbors in that
19 corner, we come out and we sweep, because
20 we got Chinese containers for food and we
21 have all this food spilled in the area.
22 The kids are walking by there. When he
23 takes out his trash, it's all over the
24 place.

25 So, you know, this bill would

1 10/23/07 - L&I - BILL 050743, ETC.
2 really help our neighborhood. And
3 listening to the other lady speak, I
4 guess it's everywhere. My sister lives
5 on Luzerne Street. My niece lives on
6 Luzerne Street also, and there's one on
7 every corner. And they also say because
8 Luzerne is a highway or considered a
9 commercial area, they can stay open, too.

10 So I really hope that you will
11 be in support of this bill for all of
12 them, all these take-out establishments,
13 to close at 11 o'clock at night. It
14 would really help.

15 COUNCILMAN SAVAGE: Thank you
16 for your testimony.

17 Please identify yourself for
18 the record.

19 MS. PETERSON-MANGUM: Good
20 afternoon, honorable members of Council.
21 My name is Cicely Peterson-Mangum. I'm
22 Director of the Avenue Project at Mt.
23 Airy USA and Manager of the recently
24 created Mt. Airy Business Improvement
25 District. I am here on behalf of Mt.

1 10/23/07 - L&I - BILL 050743, ETC.
2 Airy USA to offer our support of Bill No.
3 070539, the legislation that will extend
4 the 11:00 p.m. closing ordinance to
5 corner stores.

6 For the same reasons eloquently
7 stated in the previous testimony,
8 particularly that of Steven Masters and
9 Laura Siena of West Mt. Airy Neighbors, I
10 respectfully request that Council approve
11 the passage of this bill that will
12 significantly improve the quality of life
13 for Mt. Airy residents and businesses and
14 the entire City as a whole.

15 Thank you very much.

16 COUNCILMAN SAVAGE: Thank you
17 for your testimony.

18 Are there any questions from
19 members of the Committee?

20 (No response.)

21 COUNCILMAN SAVAGE: Thank you.

22 Is there anybody else here to
23 testify?

24 (No response.)

25 COUNCILMAN SAVAGE: Will the

1 10/23/07 - L&I - BILL 050743, ETC.

2 Clerk please read the title of the next
3 bill.

4 THE CLERK: Bill No. 070820, an
5 ordinance amending Subcode "PM," The
6 Philadelphia Property Maintenance Code,
7 of Title 4 of The Philadelphia Code,
8 entitled "The Philadelphia Building
9 Construction and Occupancy Code," by
10 amending Section PM-304.9, entitled
11 "Piers and Other Waterfront Structures,"
12 by adding the condition "Poor" to the
13 list of conditions which require
14 immediate notification to the Department
15 of Licenses and Inspections once such
16 condition is found after an inspection is
17 conducted, under certain terms and
18 conditions.

19 COUNCILMAN SAVAGE: Good
20 afternoon.

21 MR. HAIGLER: Good afternoon,
22 Councilman Savage and members of the
23 Committee. My name is Otis Haigler, Jr.,
24 Director of Legislative Affairs for the
25 Department of Licenses and Inspections.

1 10/23/07 - L&I - BILL 050743, ETC.

2 Today I'm here to provide testimony on
3 Bill 070820, which, if enacted, will
4 amend provisions of the Property
5 Maintenance Code to add the condition of
6 "poor" to the list of conditions
7 requiring immediate notification to the
8 Department by a qualified engineer when
9 such condition is found subsequent to a
10 pier inspection.

11 The amendment under
12 consideration today is needed to close a
13 loophole in the current reporting
14 requirements related to the inspection of
15 piers and other types of waterfront
16 structures. Currently, provisions of the
17 code only require engineers hired by the
18 pier owner to immediately report
19 conditions classified as "serious" or
20 "critical" to the Department subsequent
21 to an inspection which allows the
22 Department to take appropriate action in
23 order to ensure public safety. The Law
24 Department has advised that the "poor"
25 condition as defined in the current

1 10/23/07 - L&I - BILL 050743, ETC.
2 provisions of the code should also be
3 included as a condition requiring
4 immediate notification to the Department
5 so that we might take appropriate action
6 or appropriate measures to safeguard the
7 public after such condition is detected
8 during the inspection.

9 To place this into context, a
10 condition of "poor" is classified as a
11 condition where overstressing of the
12 pier's structural element has been
13 observed. Actions that are taken
14 subsequent to this finding provide for
15 the pier or portion thereof to be posted
16 with a maximum number of people allowed
17 on the structure and that the pier's use
18 is further restricted until repairs are
19 completed.

20 For conditions of "serious" or
21 "critical," which already require
22 immediate notification to the Department,
23 our level of response and the
24 requirements for corrective action to be
25 taken by the pier owner increases as

1 10/23/07 - L&I - BILL 050743, ETC.
2 indicated in the code to correspond with
3 these conditions.

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

7 COUNCILMAN SAVAGE: Thank you
8 for your testimony.

9 You talked about the actions
10 that should be taken by the owners if the
11 pier is characterized as being in poor
12 condition. Is there a time frame in
13 which the repairs have to be made?

14 MR. HAIGLER: The owner of the
15 piers are required to submit to the
16 Department every two years a report
17 indicating what inspection has been --
18 what an inspection has uncovered for that
19 pier during that period, and within that
20 report, they also have to give us their
21 recommendations as to what it will take
22 in order to make that pier safe, to make
23 it safe other than the condition of
24 "poor," upgrading it up to "fair" or
25 "good" or "better." There is no

1 10/23/07 - L&I - BILL 050743, ETC.

2 particular time frame, but they do have
3 to give us a schedule of repairs as to
4 how long it will take to make the
5 necessary repairs.

6 COUNCILMAN SAVAGE: Okay.

7 Thank you.

8 Are there any questions from
9 members of the Committee?

10 (No response.)

11 COUNCILMAN SAVAGE: Thank you
12 for your testimony.

13 MR. HAIGLER: Thank you.

14 COUNCILMAN SAVAGE: Is there
15 anybody else here to testify on Bill No.
16 070820?

17 (No response.)

18 COUNCILMAN SAVAGE: Will the
19 Clerk please read the title of the next
20 bill.

21 THE CLERK: Bill No. 070821, an
22 ordinance amending Subcode "A," the
23 Philadelphia Administrative Code, of
24 Title 4 of The Philadelphia Code,
25 entitled "The Philadelphia Building

1 10/23/07 - L&I - BILL 050743, ETC.
2 Construction and Occupancy Code," by
3 amending certain administrative and
4 enforcement provisions and the fee
5 schedule for various construction-related
6 activities, all under certain terms and
7 conditions.

8 COUNCILMAN SAVAGE: Good
9 afternoon.

10 MR. HAIGLER: Good day,
11 Councilman Savage and members of the
12 Committee. I am Otis Haigler, Jr.,
13 Director of Legislative Affairs for the
14 Department of Licenses and Inspections.
15 Today I'm here to provide testimony on
16 Bill 070821, which, if enacted, will
17 amend provisions of the administrative
18 code to amend certain administrative and
19 enforcement provisions related to the
20 fees the Department charges for permits
21 for the purpose of aligning the
22 requirements of the code with the
23 information in the Department's computer
24 system.

25 This is a technical amendment

1 10/23/07 - L&I - BILL 050743, ETC.
2 to deal with programming issues that have
3 been raised involving the Department's
4 computer system as it relates to the
5 issuance of construction permits. The
6 intent of the bill is to link the
7 requirements of the code with the
8 information programmed into the computer
9 system to accurately reflect the fees
10 that are being charged by the Department
11 for permits that it issues. The bill
12 does not contain any increases in fees,
13 but only provides for code section
14 reorganization and rewarding changes to
15 assist staff with entering the
16 information into the computer system and
17 removes ambiguity based on terminology
18 and previous interpretations.

19 I'll be happy to answer any
20 questions at this time. And I have with
21 me our Director of Construction Services,
22 Michael Fink, who can also answer any
23 questions related to this particular
24 bill.

25 COUNCILMAN SAVAGE: Thank you

1 10/23/07 - L&I - BILL 050743, ETC.

2 for your testimony.

3 Are there any questions from
4 members of the Committee?

5 (No response.)

6 COUNCILMAN SAVAGE: Is there
7 anybody else here to testify on Bill No.
8 070821?

9 (No response.)

10 COUNCILMAN SAVAGE: Since
11 there's no one else here to testify on
12 Bill No. 070821, this concludes our
13 public hearing on the Committee of
14 Licenses and Inspections. We will now
15 move into our public meeting.

16 The Chair recognizes Councilman
17 Clarke for Bill No. 070697 for a motion.

18 COUNCILMAN CLARKE: Thank you,
19 Mr. Chairman. Mr. Chairman, I move that
20 Bill 070697 be reported out of Committee
21 with a favorable recommendation and a
22 request for rules suspension as to allow
23 reading at the next session of Council.

24 (Duly seconded.)

25 COUNCILMAN SAVAGE: All in

1 10/23/07 - L&I - BILL 050743, ETC.

2 favor?

3 (Aye.)

4 COUNCILMAN SAVAGE: The ayes
5 have it. Bill No. 070697 will be voted
6 out of Committee with a favorable
7 recommendation.

8 The Chair recognizes Councilman
9 Kelly for Bill No. 050743 for a motion.

10 COUNCILMAN KELLY:

11 Mr. Chairman, I move that Bill No. 050743
12 be reported out of this Committee with a
13 favorable recommendation and also ask for
14 the suspension of the rules in order that
15 this bill may have first reading at our
16 next session of Council.

17 (Duly seconded.)

18 COUNCILMAN SAVAGE: All in
19 favor?

20 (Aye.)

21 COUNCILMAN SAVAGE: The ayes
22 have it. Bill No. 050743 will be voted
23 out of Committee with a favorable
24 recommendation.

25 The Chair once again recognizes

1 10/23/07 - L&I - BILL 050743, ETC.
2 Councilman Kelly for a motion on Bill No.
3 070539.

4 COUNCILMAN KELLY:
5 Mr. Chairman, I move that Bill No. 070539
6 be reported out of this Committee with a
7 favorable recommendation and also request
8 a suspension of the rules in order that
9 this bill may be heard at the next
10 session of Council.

11 (Duly seconded.)

12 COUNCILMAN SAVAGE: All in
13 favor?

14 (Aye.)

15 COUNCILMAN SAVAGE: The ayes
16 have it. Bill No. 070539 will be voted
17 out of Committee with a favorable
18 recommendation.

19 The Chair recognizes Councilman
20 Kelly for a motion on Bill No. 070 -- I'd
21 like to strike the reporting out on Bill
22 No. 070539.

23 The Chair recognizes Councilman
24 Kelly for a motion on Bill No. 070539
25 with an amendment.

1 10/23/07 - L&I - BILL 050743, ETC.

2 COUNCILMAN KELLY: I move that
3 the amendment for Bill No. 070539 be
4 reported out of this Committee.

5 (Duly seconded.)

6 COUNCILMAN SAVAGE: All in
7 favor?

8 (Aye.)

9 COUNCILMAN SAVAGE: The ayes
10 have it. Bill No. 070539 as amended will
11 be voted out of Committee with a
12 favorable recommendation.

13 COUNCILMAN KELLY:
14 Mr. Chairman, I move that Bill No. 070539
15 as amended be reported out of this
16 Committee with a favorable recommendation
17 and also request a suspension of the
18 rules in order that this bill may be
19 heard at the next session of Council.

20 (Duly seconded.)

21 COUNCILMAN SAVAGE: All in
22 favor?

23 (Aye.)

24 COUNCILMAN SAVAGE: The ayes
25 have it. Bill No. 070539 as amended will

1 10/23/07 - L&I - BILL 050743, ETC.

2 be voted out of Committee with a
3 favorable recommendation.

4 The Chair recognizes Councilman
5 Kenney for a motion on Bill No. 070820.
6 I mean Councilman Kelly. I apologize.
7 That's the second time I did that today.
8 I think I want you to become democrat.

9 COUNCILMAN KELLY:

10 Mr. Chairman, I move that Bill No. 070820
11 be reported out of this Committee with a
12 favorable recommendation and also request
13 suspension of the rules in order that
14 this bill may be heard at the next
15 session of Council.

16 (Duly seconded.)

17 COUNCILMAN SAVAGE: All in
18 favor?

19 (Aye.)

20 COUNCILMAN SAVAGE: The ayes
21 have it. Bill No. 070820 will be voted
22 out of Committee with a favorable
23 recommendation.

24 Once again, the Chair
25 recognizes Councilman Kelly for a motion

1 10/23/07 - L&I - BILL 050743, ETC.
2 on Bill No. 070821.

3 COUNCILMAN KELLY:
4 Mr. Chairman, I move that Bill No. 070821
5 be reported out of this Committee with a
6 favorable recommendation and also request
7 suspension of the rules in order that
8 this bill may be heard at the next
9 session of Council.

10 (Duly seconded.)

11 COUNCILMAN SAVAGE: All in
12 favor?

13 (Aye.)

14 COUNCILMAN SAVAGE: The ayes
15 have it. Bill No. 070821 will be voted
16 out of Committee with a favorable
17 recommendation.

18 This concludes our public
19 meeting and ends our Committee on
20 Licenses and Inspections.

21 (Committee on Licenses and
22 Inspections adjourned at 2:15 p.m.)

23 - - -

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CERTIFICATE

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I HEREBY CERTIFY that the

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proceedings, evidence and objections are

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contained fully and accurately in the

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stenographic notes taken by me upon the

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foregoing matter on October 23, 2007, and that

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this is a true and correct transcript of same.

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MICHELE L. MURPHY

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RPR-Notary Public

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