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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON LICENSES AND INSPECTIONS

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Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, May 25, 2006
1:40 p.m.

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PRESENT:

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COUNCILWOMAN JOAN L. KRAJEWSKI, VICE-CHAIR

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COUNCILMAN DARRELL L. CLARKE

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COUNCILMAN JACK KELLY

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COUNCILMAN BRIAN J. O'NEILL

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COUNCILMAN JUAN RAMOS

15

COUNCILMAN FRANK RIZZO

16

COUNCILWOMAN BLONDELL REYNOLDS BROWN

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BILLS 050790, 060091, 060161, 060339, 060340,
060345 and 060346

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V A R A L L O Incorporated

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COUNCILWOMAN KRAJEWSKI: Good afternoon. Thank you for waiting. I'm sorry. The Committee on Licenses and Inspections is now in session.

Will the Clerk please read the bills.

THE CLERK: Bill No. 050790, an ordinance amending Chapter 9-1800 of The Philadelphia Code, entitled "Use of Electronic Scanners for Customer Checkout," to extend the requirements for licensing to include all electronic scanners which are used for sale transactions to the public, and to increase the penalty for violations of this chapter; all under certain terms and conditions; and

Bill No. 060091, an ordinance amending Chapter 10-400 of The Philadelphia Code, entitled "Noise and Excessive Vibration," by adding and making changes to certain definitions, all under certain terms and conditions; and

1 5/25/06 - L&I - BILL 050790, ETC.

2 Bill No. 060161, an ordinance
3 amending Title 4 of The Philadelphia
4 Code, The Philadelphia Building
5 Construction and Occupancy Code, by
6 prohibiting the placement and maintenance
7 of certain temporary fences in certain
8 positions of the City, all under certain
9 terms and conditions; and

10 Bill No. 060339, an ordinance
11 amending Chapter 9-1000 of The
12 Philadelphia Code, entitled "Trades," by
13 amending Section 9-1004, entitled
14 "Contractors," by clarifying the
15 exception from the contractor license
16 requirement for property owners who
17 perform work on their properties, under
18 certain terms and conditions; and

19 Bill No. 060340, an ordinance
20 amending Subcode PM, Property Maintenance
21 Code, of Title 4, Building Construction
22 and Occupancy Code, of The Philadelphia
23 Code, by adding a new Section PM-307.1.2,
24 entitled "Construction Excavations,"
25 requiring certain measures to ensure that

1 5/25/06 - L&I - BILL 050790, ETC.

2 construction excavations be made safe
3 where no work has been done within the
4 past six months, all under certain terms
5 and conditions; and

6 Bill No. 060345, an ordinance
7 amending Chapter 9-600 of The
8 Philadelphia Code, entitled "Service
9 Businesses," to add new provisions to
10 prohibit the sale from certain retail
11 establishments of "blunts," "loosies,"
12 cigarette papers, cigars and other items
13 that may be otherwise legal but that are
14 commonly used as drug paraphernalia,
15 under certain terms and conditions; and

16 Bill No. 060346, an ordinance
17 amending Subcode A, Administrative Code,
18 of Title 4, Building Construction and
19 Occupancy Code, of The Philadelphia Code,
20 by amending section A-302, entitled
21 "Permits," by requiring the posting of
22 certificates of insurance along with
23 posted construction permits, under
24 certain terms and conditions.

25 COUNCILWOMAN KRAJEWSKI: Thank

1 5/25/06 - L&I - BILL 050790, ETC.

2 you.

3 I believe that Bill 060345 will
4 be held at the request of the sponsor.

5 Thank you.

6 Good afternoon.

7 MR. HAIGLER: Good afternoon,
8 Councilwoman Krajewski and members of the
9 Committee. I am Otis -- are we reading
10 050790?

11 COUNCILWOMAN KRAJEWSKI: Yes.

12 MR. HAIGLER: I am Otis
13 Haigler, Jr., Director of Legislative
14 Affairs for the Department of Licenses
15 and Inspections. Today I'm here to
16 provide testimony on Bill 050790, which,
17 if enacted, will amend Chapter 9-1800 of
18 The Philadelphia Code to expand the
19 requirements related to the licensing of
20 electronic scanning devices to non-food
21 retail establishments, under certain
22 terms and conditions.

23 The Pennsylvania Consolidated
24 Weights and Measures Act as found in
25 Title 3 of The Pennsylvania Consolidated

1 5/25/06 - L&I - BILL 050790, ETC.
2 Statutes provides authorization to
3 conduct inspections of all weighing and
4 measuring devices within Philadelphia
5 County to the City through the Department
6 of Licenses and Inspections' Weights and
7 Measures Unit for the purpose of
8 determining compliance with the Act. In
9 addition, the Act stipulates that this
10 authorization be memorialized in a
11 Memorandum of Understanding between the
12 Pennsylvania Department of Agriculture
13 and City Licenses and Inspections.

14 Further, Title 70 of The
15 Pennsylvania Code, Chapter 5, regulations
16 adopted to enforce the Act, mandates
17 annual inspections of Universal Product
18 Code, UPC, scanning systems and Price
19 Look Up, PLU, devices that are used to
20 determine item price in retail
21 establishments for the purpose of
22 determining accuracy of the devices.

23 In 1992, the City of
24 Philadelphia enacted local legislation to
25 establishing licensing and other

1 5/25/06 - L&I - BILL 050790, ETC.

2 regulatory requirements for electronic
3 scanning devices that are used in large
4 retail food establishments, primarily
5 supermarkets, where the devices are used
6 to determine the price of items sold to
7 the public. At the time when this
8 legislation was enacted, electronic
9 scanning devices were largely limited to
10 retail food establishments.

11 Since 1992, although the use of
12 electronic scanning devices have become
13 more pervasively utilized in all business
14 transactions to determine the price of
15 items sold to consumers, the Department
16 has been limited to assess license fees
17 only for devices located in food
18 establishments.

19 Bill 050790 seeks to expand the
20 licensing provision currently applied to
21 food establishments to other retail
22 establishments for the purpose of
23 covering the costs incurred by the City
24 to perform state mandated inspections of
25 these establishments and provide

1 5/25/06 - L&I - BILL 050790, ETC.
2 equitability to the code enforcement
3 program as currently administered by the
4 Department.

5 The fee structure to license
6 non-food establishment electronic
7 scanning devices is less than what is
8 levied on food establishments due to the
9 fact that inspections of electronic
10 scanning devices in non-food
11 establishments are conducted by the
12 Department once on an annual basis as
13 opposed to the current requirements under
14 local law mandating four inspections
15 within a 12-month period for food
16 establishments.

17 The Department respectfully
18 requests the Committee's favorable
19 consideration of Bill 050790 and that the
20 rules of Council be suspended in order to
21 permit first reading at its next session.

22 Thank you for the opportunity
23 to testify on this bill, and I will happy
24 to answer any questions at this time.

25 COUNCILWOMAN KRAJEWSKI: Thank

1 5/25/06 - L&I - BILL 050790, ETC.

2 you. Would you please read into the
3 record the rest of the bills that are on
4 schedule here.

5 MR. HAIGLER: Sure.

6 COUNCILWOMAN KRAJEWSKI:

7 Whatever you have, we can put into the
8 record.

9 MR. HAIGLER: The testimonies
10 for all bills?

11 COUNCILWOMAN KRAJEWSKI: Yes.

12 MR. HAIGLER: Sure. Bill
13 060091: Good day, Councilwoman Krajewski
14 and members of the Committee. I am Otis
15 Haigler, Jr., Director of Legislative
16 Affairs for the Department of Licenses
17 and Inspections. Today I'm here to
18 provide testimony on Bill 060091, which,
19 if enacted, will amend Chapter 10-400
20 related to "Noise and Excessive
21 Vibrations" to add a definition for
22 "Concert Venue" and amend the definition
23 for "Residential Property."

24 The Department of Licenses and
25 Inspections offers no opinion on this

1 5/25/06 - L&I - BILL 050790, ETC.
2 bill, as it believes the requirements of
3 Bill 060091 governing noise emanating
4 from both of these occupancies in such a
5 manner as to cause a public disturbance
6 is a matter for Police response and
7 enforcement. We will, however, based on
8 referrals from the Police Department,
9 take appropriate action relative to a
10 licensed business entity that is found to
11 have violated the provisions of this
12 Chapter as permitted through our
13 enforcement of Chapter 19-2600 related to
14 the business privilege license for the
15 entity.

16 Thank you for the opportunity
17 to give the Department's testimony on
18 Bill 060091. I'll be happy to answer any
19 questions at this time.

20 COUNCILWOMAN KRAJEWSKI: Read
21 all the bills that are on schedule.

22 MR. HAIGLER: Yes, ma'am. I
23 got to pull them.

24 COUNCILWOMAN KRAJEWSKI: Thank
25 you.

1 5/25/06 - L&I - BILL 050790, ETC.

2 MR. HAIGLER: Bill 060161:

3 Good day, Councilwoman Krajewski and
4 members of the Committee. I am Otis
5 Haigler, Jr., Director of Legislative
6 Affairs for the Department of Licenses
7 and Inspections. Today I am here to
8 provide testimony on Bill 060161, which,
9 if enacted, will prohibit the
10 installation of temporary fencing on
11 properties in the 10th Councilmanic
12 District except in conjunction with the
13 issuance of a building permit.

14 We offer no objections to the
15 enactment of this bill since the intent
16 is to discourage activity that would
17 adversely affect the aesthetical
18 composition of the surrounding community
19 where the temporary fence would be
20 located. We would, however, like to
21 offer an amendment to Bill 060161 that
22 has been approved by the Law Department,
23 which would allow temporary fencing for
24 situations that either protect the public
25 from becoming exposed to a hazardous

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2 condition or is installed as part of a
3 public works project where the issuance
4 of a building permit would not be
5 required. In both of these cases, we
6 would require the immediate removal of
7 the temporary fence once the hazardous
8 condition has been abated or public works
9 project has been completed.

10 Thank you for the opportunity
11 to provide the Department's testimony and
12 I will be happy to answer any questions.

13 As part of the other bill, 161,
14 as part of our enforcement, if we were to
15 receive any complaints from the community
16 or Council office, we would, as part of
17 our enforcement activity, issue a \$75
18 ticket to the violator for the temporary
19 fence if the fence was placed not to
20 address either a safety condition or was
21 placed not as part of a public works
22 project or as part of a building permit.

23 COUNCILMAN KELLY: \$75?

24 MR. HAIGLER: \$75 each time the
25 inspector goes. So it would be \$75 per

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2 day. So we are called every day to go
3 out, it's a \$75 ticket.

4 COUNCILWOMAN KRAJEWSKI:
5 Councilman O'Neill.

6 COUNCILMAN O'NEILL: I consider
7 that a friendly amendment, and I thank --

8 MR. HAIGLER: That is a
9 friendly amendment.

10 COUNCILMAN O'NEILL: Okay.

11 MR. HAIGLER: 060339: Good
12 day, Councilwoman Krajewski and members
13 of the Committee. I am Otis Haigler,
14 Jr., Director of Legislative Affairs for
15 the Department of Licenses and
16 Inspections. Today I am here to provide
17 testimony on Bill 060339, which, if
18 enacted, will amend Section 9-1000
19 related to "Contractors" by clarifying
20 the provisions exempting property owners
21 from having to secure a contractors
22 license for work performed by the owner
23 on his or her primary residence.

24 The Department of Licenses and
25 Inspections offers no objections to the

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2 enactment of this bill, as this bill
3 codifies regulations of the Department
4 that are currently enforced. The
5 referenced regulations were adopted by
6 the Department on September 11, 2003.

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

10 Bill 060340: Good day,
11 Councilwoman Krajewski 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 am here to provide testimony on
16 Bill 060340, which, if enacted, will
17 amend the Property Maintenance Code to
18 add reporting and protective requirements
19 for construction excavations that have
20 remained open to public access beyond the
21 six-month period after a permit has been
22 issued for the excavation.

23 We absolutely have no
24 objections to the enactment of this bill
25 since the intent is to protect adjacent

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2 properties from damage that could be
3 caused by the unattended excavation, as
4 well as to protect the public from a
5 potential safety hazard.

6 Thank you for the opportunity
7 to provide the Department's testimony on
8 this bill and I'll be happy to answer any
9 questions.

10 I believe 345 is being held?

11 COUNCILWOMAN KRAJEWSKI: Yes.

12 MR. HAIGLER: 060346: Good
13 day, Councilwoman Krajewski and members
14 of the Committee. I am Otis Haigler,
15 Jr., Director of Legislative Affairs for
16 the Department of Licenses and
17 Inspections. Today I am here to provide
18 testimony on Bill 060346, which, if
19 enacted, will amend the Administrative
20 Code to require the posting of insurance
21 certificates along with building permits
22 for properties where construction,
23 demolition or alteration work is being
24 performed.

25 We offer no objections to the

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2 enactment of this bill, as this will
3 expand our current requirements related
4 to the posting of building and zoning
5 permits to the posting of insurance
6 information. We believe this will
7 provide persons contracting to have the
8 work performed on their property, as well
9 as adjacent property owners, with
10 important information that may be useful
11 should damage be caused to the property
12 or adjacent property by a contractor
13 performing work in conjunction with the
14 issuance of a construction permit.

15 Section 9-1004 of The
16 Philadelphia Code sets forth the
17 requirements of the City for persons who
18 are licensed as contractors. As part of
19 those requirements, persons desiring to
20 be licensed must maintain certain types
21 of insurance in amounts approved by the
22 City's Office of Risk Management and Law
23 Department. The addition of the
24 requirements to have the insurance
25 information posted on properties under

1 5/25/06 - L&I - BILL 050790, ETC.
2 permit will cause no additional burden on
3 the Department to enforce, and violations
4 of this provision, once enacted, will be
5 handled through the issuance of a Code
6 Violation Notice, CVN, or ticket in the
7 amount of \$75 to contractors, developers
8 or property owners who fail to comply
9 with the requirements for posting.

10 The Department has, however,
11 upon further review of Bill 060346, found
12 one technical issue that we would like to
13 address through an amendment. Our
14 concern is found in the last sentence on
15 Page 2 of the bill where the issuance of
16 a Certificate of Occupancy for the
17 building or space is tied to the posting
18 of insurance information. We request
19 that this sentence be deleted from the
20 bill since the issuance of a CO,
21 Certificate of Occupancy, is the final
22 process to the legal occupancy of a
23 building after construction activity has
24 ceased and the failure to post building
25 permits or insurance certificates would

1 5/25/06 - L&I - BILL 050790, ETC.
2 have been matters cited through the
3 issuance of the ticket, as mentioned
4 before, by one of our building inspectors
5 while the construction activity was still
6 in progress.

7 In addition, the Department
8 issues Certificate of Occupancies for
9 properties or spaces in buildings where
10 construction work is not performed and,
11 therefore, the need to have either a
12 permit or insurance information posted
13 does not exist.

14 Thank you for the opportunity
15 to provide the Department's testimony on
16 Bill 060346. I will be happy to answer
17 any questions at this time.

18 I think that's it.

19 COUNCILWOMAN KRAJEWSKI: Thank
20 you.

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

23 (No response.)

24 COUNCILWOMAN KRAJEWSKI: Is
25 there anyone here to testify on any of

1 5/25/06 - L&I - BILL 050790, ETC.

2 the bills?

3 Please come forward.

4 Good afternoon. Please state
5 your name for the record.

6 MR. SANDERS: Good afternoon.

7 My name is Tom Sanders. I'm from Country
8 Lane Homeowners Association.

9 I have some pictures I want to
10 submit. I also have a set of petitions
11 that were signed by all the homeowners on
12 this matter. I have a prepared statement
13 also for the Council.

14 COUNCILWOMAN KRAJEWSKI: Before
15 we continue, I'd like to recognize
16 members of the Committee. We have to my
17 left Councilman Rizzo, Councilman Kelly.
18 To my right, I have Councilman Ramos and
19 Councilwoman Blondell Reynolds Brown and
20 also Councilman O'Neill, who is sitting
21 in.

22 You can continue.

23 MR. SANDERS: I'm nervous.

24 COUNCILWOMAN KRAJEWSKI: Don't
25 be nervous.

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2 MR. SANDERS: My name is Tom
3 Sanders. I represent 96 homeowners and
4 the Board of Directors of Country Lane
5 Homeowners Association. We're a private
6 urban development, known as a PUD, in
7 Northeast Philadelphia. I am here to
8 support Councilman Brian O'Neill's bill
9 on temporary fencing.

10 I represent all 96 homes. We
11 attained petitions over the weekend and
12 were able to get everybody signed but
13 seven homeowners who don't speak English.

14 I'd like to start off with a
15 small history of the piece of land in
16 question.

17 Until three years ago, every
18 homeowner was sold their home with the
19 knowledge that this land belonged to the
20 Association. I've been there for 20
21 years and it's always been community
22 park. We as the Association have
23 maintained this ground with lawn
24 maintenance, planting of flowers, shrubs
25 and trees. We've had community events

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2 here, garage sales and many concerts by
3 homeowners. We've opened this ground to
4 everybody, never posted a "keep out,
5 trespassing" sign. We paid the first
6 year ground taxes on this property when
7 Carmen Calvanese, our builder, turned the
8 Homeowners Association over to us with a
9 check written on our Homeowners account,
10 along with a letter protesting the taxes
11 on the land. The City cashed our check
12 and we never heard back from anyone from
13 the City.

14 About three years ago, we found
15 out this land had been sold in sheriff's
16 sale. We claimed we were never notified
17 of the sale. The Sheriff's Department
18 claimed they posted it. I have 96
19 homeowners who say they never saw
20 anything posted. We go to the Court of
21 Common Pleas and we get the sale set
22 back. We win.

23 Wachovia Bank and the new
24 builder, Vlad Cutler, went to the State
25 Supreme Court where two judges ruled we

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2 never owned the property. It seems
3 Carmen Calvanese never transferred title
4 to the new Homeowners Association even
5 though the plot plans filed with the City
6 show it as one piece of property. The
7 two judges wouldn't even hear of this.
8 I've learned that the word "intent" in
9 law doesn't mean anything.

10 Now for the anger. We as a
11 development are angry at the City because
12 it has done nothing to help us with this
13 fencing problem. The City has allowed
14 the builder to put this fence up and not
15 made him maintain the property. We as an
16 association have urged our members to
17 contact CLIPs, which is a City agency
18 that will make him come out and cut the
19 grass, but only after the CLIPs people
20 call him.

21 The grounds are so overgrown
22 that you can't see the creek bed or the
23 water basin anymore. This is affecting
24 our home values and the sales in the
25 development.

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2 The builder is angry at us for
3 fighting with him. We were not fighting
4 with him. We were fighting to keep the
5 land that we thought we owned for 22
6 years. The builder put the fence up to
7 teach us all a lesson not to fight him.

8 I can take you to five active
9 building sites in the Northeast right
10 now, three are within two blocks of us
11 and the other two are within a mile of
12 us, where there's no fencing up. You
13 see, the builder can't obtain building
14 permits for this ground as it is. The
15 property cannot be built on.

16 In closing, the entrance to our
17 development is an eyesore caused by a
18 vengeful builder. The City needs to make
19 the builder remove the fence, make the
20 builder maintain the entire property and
21 finally inform him the ground is a
22 landfill and not able to be built on.

23 I thank you for your time.

24 COUNCILWOMAN KRAJEWSKI: Very
25 good.

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2 MR. SANDERS: And I'm nervous
3 as hell.

4 COUNCILWOMAN KRAJEWSKI: Don't
5 be. Not at all. Not here, believe me.

6 MR. SANDERS: Well, this isn't
7 my thing, believe me.

8 COUNCILWOMAN KRAJEWSKI:
9 Councilman O'Neill.

10 COUNCILMAN O'NEILL: Thank you,
11 Madam Chair. I would just like to thank
12 Mr. Sanders for coming down and for
13 working so hard to get all his neighbors
14 on the petition. They've had a couple of
15 years of frustration here, and I think it
16 is a spite fence, a different kind of
17 spite fence than we're used to, because
18 the developer who bought the ground for
19 next to nothing at sheriff's sale found
20 that it was not a buildable piece of
21 ground. And this is a construction fence
22 without a construction permit, with no
23 building permits, construction permits,
24 L&I permits, because you can't build on
25 it.

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2 It's between the street and a
3 creek and it's a narrow piece of ground.
4 In fact, if you go up Northeast Avenue,
5 you'll see that Country Lane has a
6 covered bridge that was put in by the
7 developer in the early '80s because of
8 the creek. The Streets Department
9 allowed him to do that. The homeowners
10 have to maintain the covered bridge over
11 the creek. So it's just the ground in
12 between the creek and the street itself.

13 The original developer, Carmen
14 Calvanese, should never ever have done
15 what he did. He knows better. He's been
16 in the building business for a lot of
17 years, and for him not to transfer
18 ownership of this to this Association is
19 just unheard of. I mean, you just can't
20 imagine somebody doing this.

21 But this will give L&I the
22 authority they need, because we just
23 don't have anything on the books to deal
24 with this kind of problem, and it
25 basically says if you have a construction

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2 site, you can put a fence around it
3 during construction. And as Otis
4 testified, there's an amendment that
5 there will be an exception if it were a
6 safety issue or a hazard, some kind of
7 hazard that L&I would want a fence around
8 it until the hazard or the safety issue
9 were corrected.

10 So this is just to stop a fence
11 from being basically blight on the
12 community. And we'll keep working with
13 CLIP to try to get it cut more regularly.

14 Thank you.

15 COUNCILWOMAN KRAJEWSKI: I
16 don't imagine how he was allowed to get
17 away with this for so long. I am
18 familiar, as Councilman O'Neill knows,
19 with that area, very familiar, and I
20 happen to agree with you 100 percent.

21 MR. SANDERS: We appreciate it.
22 Like I said, I represent my entire
23 development, and we appreciate anything
24 that you can do for us.

25 COUNCILWOMAN KRAJEWSKI: I'm

1 5/25/06 - L&I - BILL 050790, ETC.

2 familiar with it.

3 MR. SANDERS: I appreciate it.

4 COUNCILWOMAN KRAJEWSKI: I

5 think, Brian, you know I am.

6 COUNCILMAN O'NEILL: Yes.

7 COUNCILWOMAN KRAJEWSKI:

8 Councilman Kelly.

9 COUNCILMAN KELLY: Thank you,

10 Madam Chair.

11 I just want to ask the
12 Councilman or you, Mr. Sanders, who
13 presently owns the land right now?

14 MR. SANDERS: Vlad Cutler.

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15      He's the builder or the developer.
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16 COUNCILMAN KELLY: He's the
17 developer?

18 MR. SANDERS: Yeah. We've
19 tried to deal with this guy. We've tried
20 to talk to him. We've tried everything.
21 He's real upset that we fought him
22 originally. But we really weren't
23 fighting him. We were fighting the fact
24 that this land never was transferred, and
25 he was part of it, but he's out to teach

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2 us a lesson, and it hurts.

3 COUNCILMAN KELLY: I want to
4 tell you something. Since I live in that
5 vicinity, I pass it on Northeast Avenue
6 quite a lot.

7 MR. SANDERS: I'm glad you see
8 it.

9 COUNCILMAN KELLY: I think
10 you're absolutely right. I think it's
11 hideous the way they put up that fence,
12 and anything we can do to really remove
13 that, I think that Councilman O'Neill and
14 I'm sure the Chair and the Committee here
15 will do it.

16 MR. SANDERS: I appreciate
17 that.

18 COUNCILMAN KELLY: Thank you.

19 MR. SANDERS: Thank you for
20 your time.

21 COUNCILMAN RIZZO: Madam Chair.

22 COUNCILWOMAN KRAJEWSKI:
23 Councilman Rizzo.

24 COUNCILMAN RIZZO: Councilman
25 O'Neill, my only concern is, if he has

1 5/25/06 - L&I - BILL 050790, ETC.

2 deep pockets, what could he do? Could he
3 take down the construction fence and then
4 put a stockade fence up? An appropriate
5 fence, I think he can go, what, to six,
6 eight feet?

7 COUNCILMAN O'NEILL: Four feet.

8 COUNCILMAN RIZZO: How high?

9 COUNCILMAN O'NEILL: Four feet.

10 It has to be at least 50 percent
11 transparent.

12 COUNCILMAN RIZZO: So there's
13 no loophole here?

14 COUNCILMAN O'NEILL: There's
15 money involved in that.

16 I don't think there is, but if
17 there is, we'll correct it with another
18 bill.

19 But I want to say to
20 Mr. Sanders, Councilwoman Krajewski is in
21 a district right next to mine and
22 probably has more relatives in my
23 district than I do, but you have four
24 at-large members -- you're not going to
25 find that too often -- that all represent

1 5/25/06 - L&I - BILL 050790, ETC.

2 Country Lane as well as I do, Councilman
3 Ramos, Councilwoman Reynolds Brown,
4 Councilman Rizzo, Councilman Kelly and
5 so --

6 MR. SANDERS: I see all you
7 guys on television all the time.

8 COUNCILMAN O'NEILL: They don't
9 only want to help you, but they also
10 represent you directly.

11 MR. SANDERS: I appreciate it,
12 really.

13 COUNCILMAN O'NEILL: Thank you.

14 COUNCILWOMAN KRAJEWSKI:
15 Councilwoman Brown.

16 COUNCILWOMAN BROWN: Good
17 afternoon. Let me echo Councilman
18 O'Neill's sentiments. You are a citizen,
19 you are a taxpayer, and you do not have
20 to apologize for being a voice for the
21 community that you come from. And so
22 Councilman O'Neill said it clearly, we
23 hear it and we get it and we're prepared
24 to support you and your neighbors and the
25 District Councilperson on this matter.

1 5/25/06 - L&I - BILL 050790, ETC.

2 But you never ever have to apologize for
3 being a voice for citizens who believe
4 that they've been poorly represented.

5 MR. SANDERS: I'm just nervous.

6 COUNCILWOMAN BROWN: That's
7 well taken, but you don't have to be
8 nervous either. Thank you.

9 MR. SANDERS: Thank you.

10 COUNCILMAN RAMOS: I feel the
11 same way.

12 MR. SANDERS: I appreciate it.

13 COUNCILMAN O'NEILL: And I
14 would ask for a rules suspension, Madam
15 Chair.

16 COUNCILWOMAN KRAJEWSKI: Thank
17 you.

18 Is there anyone else to testify
19 for any of the bills being heard?

20 (No response.)

21 COUNCILWOMAN KRAJEWSKI:

22 Hearing none, the hearing on License and
23 Inspection is now adjourned. We will go
24 into our meeting, public meeting.

25 The Chair recognizes Councilman

1 5/25/06 - L&I - BILL 050790, ETC.

2 Ramos on Bill 050790.

3 COUNCILMAN RAMOS: Thank you,
4 Madam President. I move that Bill No.
5 050790 be reported out of Committee with
6 a favorable recommendation and further
7 move that the rules of Council be
8 suspended to permit first reading of this
9 bill at our next Council meeting.

10 (Duly seconded.)

11 COUNCILWOMAN KRAJEWSKI: All
12 those in favor?

13 (Aye.)

14 COUNCILWOMAN KRAJEWSKI:
15 Therefore, Bill 050790 will be reported
16 out of this Committee with a favorable
17 recommendation.

18 The Chair recognizes
19 Councilwoman Brown on Bill 060091.

20 COUNCILWOMAN BROWN: Sure.
21 Madam Chair, I move that Bill No. 060091
22 be moved out of Committee with a
23 favorable recommendation and further move
24 that the rules of Council be suspended to
25 allow first reading at the next scheduled

1 5/25/06 - L&I - BILL 050790, ETC.

2 session of Council.

3 (Duly seconded.)

4 COUNCILWOMAN KRAJEWSKI: All

5 those in favor?

6 (Aye.)

7 COUNCILWOMAN KRAJEWSKI:

8 Opposed?

9 (No response.)

10 COUNCILWOMAN KRAJEWSKI:

11 Therefore, Bill 060091 will be reported

12 out of this Committee with a favorable

13 recommendation, with a suspension of

14 rules so as to permit first reading at

15 the next session of Council.

16 The Chair recognizes Councilman

17 Kelly.

18 COUNCILMAN KELLY: Madam Chair,

19 I would like to move for the adoption of

20 the amendment to Bill No. 060161.

21 (Duly seconded.)

22 COUNCILWOMAN KRAJEWSKI: All

23 those in favor?

24 (Aye.)

25 COUNCILWOMAN KRAJEWSKI:

1 5/25/06 - L&I - BILL 050790, ETC.

2 Opposed?

3 (No response.)

4 COUNCILWOMAN KRAJEWSKI: Bill
5 060161 as amended will be reported out of
6 this Committee with a favorable
7 recommendation, with a suspension of
8 rules so as to permit first reading at
9 the next session of Council.

10 COUNCILMAN KELLY: Madam Chair,
11 I move that Bill No. 060161 as amended be
12 reported out of this Committee with a
13 favorable recommendation and further move
14 that the rules of Council be suspended in
15 order that this bill may be heard at the
16 next session of Council.

17 (Duly seconded.)

18 COUNCILWOMAN KRAJEWSKI: All
19 those in favor?

20 (Aye.)

21 COUNCILWOMAN KRAJEWSKI:

22 Opposed?

23 (No response.)

24 COUNCILWOMAN KRAJEWSKI:

25 Therefore, Bill 060161 will be reported

1 5/25/06 - L&I - BILL 050790, ETC.

2 out of this Committee, with a suspension
3 of rules so as to permit first reading at
4 the next session of Council.

5 The Chair recognizes Councilman
6 Rizzo on Bill 060339.

7 COUNCILMAN RIZZO: Bill No.
8 060339 I'd like to be reported out of
9 this Committee with a favorable
10 recommendation and a suspension of the
11 rules so that this could be heard at the
12 next session of Council.

13 (Duly seconded.)

14 COUNCILWOMAN KRAJEWSKI: All
15 those in favor?

16 (Aye.)

17 COUNCILWOMAN KRAJEWSKI:
18 Opposed?

19 (No response.)

20 COUNCILWOMAN KRAJEWSKI:
21 Therefore, Bill 060339 will be reported
22 out of this Committee with a favorable
23 recommendation, with a suspension of
24 rules so as to permit first reading at
25 the next session of Council.

1 5/25/06 - L&I - BILL 050790, ETC.

2 The Chair recognizes

3 Councilwoman Brown.

4 COUNCILWOMAN BROWN: Madam

5 Chair, I move that Bill No. 060340 be

6 moved out of Committee with a favorable

7 recommendation and further move that the

8 rules of Council be suspended so as to be

9 heard at the next scheduled session.

10 (Duly seconded.)

11 COUNCILWOMAN KRAJEWSKI: All

12 those in favor?

13 (Aye.)

14 COUNCILWOMAN KRAJEWSKI:

15 Opposed?

16 (No response.)

17 COUNCILWOMAN KRAJEWSKI:

18 Therefore, Bill 060340 will be reported

19 out of this Committee with a favorable

20 recommendation, with a suspension of

21 rules so as to permit first reading at

22 the next session of Council.

23 The Chair recognizes Councilman

24 Ramos for the purpose of Bill 060346 as

25 amended.

1 5/25/06 - L&I - BILL 050790, ETC.

2 COUNCILMAN RAMOS: Madam Chair,
3 I move that the amendment as previously
4 described regarding Bill No. 060346 be
5 adopted.

6 (Duly seconded.)

7 COUNCILWOMAN KRAJEWSKI: All
8 those opposed?

9 (No response.)

10 COUNCILWOMAN KRAJEWSKI:
11 Councilman Ramos.

12 COUNCILMAN RAMOS: I move that
13 Bill No. 060346 as amended be reported
14 out of Committee with a favorable
15 recommendation and I further move that
16 the rules of Council be suspended to
17 permit first reading of this bill at our
18 next Council hearing.

19 (Duly seconded.)

20 COUNCILWOMAN KRAJEWSKI: All
21 those in favor?

22 (Aye.)

23 COUNCILWOMAN KRAJEWSKI: Those
24 opposed?

25 (No response.)

1 5/25/06 - L&I - BILL 050790, ETC.

2 COUNCILWOMAN KRAJEWSKI: Bill
3 060346 as amended will be reported out of
4 this Committee with a favorable
5 recommendation, with a suspension of
6 rules so as to permit first reading at
7 the next session of Council.

8 I do believe Bill 050790 was
9 not reported out with a suspension of
10 rules.

11 COUNCILMAN RAMOS: I did.

12 COUNCILWOMAN KRAJEWSKI:
13 Suspension of rules?

14 COUNCILMAN RAMOS: Yes.

15 COUNCILWOMAN KRAJEWSKI: I
16 don't believe we did that.

17 COUNCILMAN RAMOS: Do you want
18 me to do it again?

19 MR. HAIGLER: Did you do a
20 suspension of rules for Bill 060346?

21 COUNCILWOMAN KRAJEWSKI:
22 Suspension of rules, we did say that.

23 MR. HAIGLER: For the
24 amendment.

25 COUNCILWOMAN KRAJEWSKI: As

1 5/25/06 - L&I - BILL 050790, ETC.

2 amended, yes. Yes.

3 But I just want to go on record
4 with Bill 050790 to be reported out of
5 this Committee with a suspension of rules
6 so as to permit first reading at the
7 session of Council.

8 All those in favor?

9 (Aye.)

10 COUNCILWOMAN KRAJEWSKI: Thank
11 you.

12 That concludes our -- yes, sir.

13 UNIDENTIFIED SPEAKER: What did
14 you say about Bill 060345?

15 COUNCILWOMAN KRAJEWSKI: That's
16 being held at the request of the sponsor.
17 All right?

18 UNIDENTIFIED SPEAKER: Which
19 means?

20 COUNCILMAN KELLY: It means it
21 will be continued.

22 COUNCILWOMAN KRAJEWSKI: That
23 is not being heard today, but it's being
24 held.

25 UNIDENTIFIED SPEAKER: Thank

1 5/25/06 - L&I - BILL 050790, ETC.

2 you very much.

3 COUNCILWOMAN KRAJEWSKI: It's

4 not dismissed. It's just being held.

5 Thank you.

6 That concludes the License and

7 Inspection Committee. Thank you.

8 (Committee on Licenses and

9 Inspections adjourned at 2:10 p.m.)

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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 May 25, 2006, 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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