

Committee on Streets and Services
December 3, 2018

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COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON STREETS AND SERVICES

Room 400, City Hall
Philadelphia, Pennsylvania
Monday, December 3, 2018
10:15 a.m.

PRESENT:

COUNCILMAN MARK SQUILLA, CHAIR
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN DAVID OH
COUNCILMAN AL TAUBENBERGER

BILLS 170517, 180742, 180822, 180865, 180910,
180941, 180942, 180995, and 181010

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1 12/3/18 - STREETS - BILL 170517, ETC.

2 COUNCILMAN SQUILLA: Good
3 morning, everyone, and welcome to the
4 Streets and Services hearing today.

5 We do have a quorum. To my
6 right is Councilman Oh. To my left,
7 Councilman Taubenberger and Councilman
8 Greenlee. We'd now like to start the
9 hearing.

10 For the record, we'd just like
11 to say Bill No. 180822 and 181010 are
12 being held to the call of the sponsor.

13 And, Ms. Kelly, please read the
14 title of the first bills.

15 THE CLERK: Bill No. 180941, an
16 ordinance establishing parking
17 regulations in the vicinity of: 45th
18 Street and Spruce Street; Cedar Avenue
19 and 47th Street; 34th Street and
20 Brandywine Street; Farragut Street and
21 Walnut Street.

22 COUNCILMAN SQUILLA: If we
23 could read all three bills, and then,
24 Dionne, if you would then testify to all
25 three.

1 12/3/18 - STREETS - BILL 170517, ETC.

2 THE CLERK: Bill No. 180942, an
3 ordinance establishing parking
4 regulations in the vicinity of:

5 Larchwood Avenue and South 47th Street;

6 Larchwood Avenue and South 59th Street;

7 North 33rd Street and Spring Garden

8 Street; Delancey Street and South 51st

9 Street; Sansom Street and South 51st

10 Street; South 61st Street and Chestnut

11 Street; and

12 Bill No. 180995, an ordinance
13 establishing parking regulations in the
14 vicinity of: Brandywine Street and North
15 33rd Street; Larchwood Street and South
16 45th Street; South 44th Street and Spruce
17 Street; Cedar Avenue and South 54th
18 Street; Sloan Street and Baring Street;
19 Belmont Avenue to Girard Avenue; Hamilton
20 Street to North 38th Street.

21 (Witness approached witness
22 table.)

23 COUNCILMAN SQUILLA: Thank you.

24 Ms. Bracley, please state your
25 name for the record and proceed with your

1 12/3/18 - STREETS - BILL 170517, ETC.
2 testimony as we testify on all three
3 bills read into the record.

4 MS. BRACLEY: Dionne Bracley.

5 Good day, Council. My name is
6 Dionne Bracley, Deputy Manager for the
7 Philadelphia Parking Authority. Thank
8 you for allowing me to testify before
9 Council regarding Ordinances 180941,
10 180942, and 180995 establishing parking
11 regulations.

12 The Philadelphia Parking
13 Authority has no objection to the
14 ordinances previously read before Council
15 and recommends favorable consideration.

16 Thank you again for your time,
17 and I would be happy to respond to
18 questions at this time.

19 COUNCILMAN SQUILLA: Thank you
20 so much for your testimony.

21 Are there any questions?

22 (No response.)

23 COUNCILMAN SQUILLA: Seeing
24 none, is there anyone else here to
25 testify on Bill No. 180941, 180942 or

1 12/3/18 - STREETS - BILL 170517, ETC.
2 180995?

3 (No response.)

4 COUNCILMAN SQUILLA: Seeing
5 none, thank you.

6 Ms. Kelly, please read the
7 title of the next bill.

8 THE CLERK: Bill No. 180865, an
9 ordinance establishing a one-way
10 regulation on Aspen Street, from North
11 Markoe Street to North 46th Street,
12 eastbound.

13 (Witness approached witness
14 table.)

15 COUNCILMAN SQUILLA: Thank you,
16 Saint. Please state your name for the
17 record and proceed with your testimony.

18 MR. TORRENCE: Good morning,
19 Chairman Squilla and members of the
20 Streets and Services Committee. My name
21 is St. Martin Torrence. I'm the Director
22 of Legislative Affairs for the Department
23 of Streets. I'm here to offer testimony
24 on Bill No. 180865.

25 The Department of Streets has

1 12/3/18 - STREETS - BILL 170517, ETC.

2 no objections to this bill. This
3 regulation was established on a trial
4 basis beginning on September 1st, 2017.

5 Thank you for the opportunity
6 to appear before you today.

7 COUNCILMAN SQUILLA: Thank you
8 for your testimony.

9 Any questions?

10 (No response.)

11 COUNCILMAN SQUILLA: Seeing
12 none, anyone else here to testify on Bill
13 No. 180865?

14 (No response.)

15 COUNCILMAN SQUILLA: Seeing
16 none, thank you.

17 Ms. Kelly, please read the
18 title of the next bill.

19 THE CLERK: Bill No. 180742, an
20 ordinance establishing no truck parking
21 and tow-away regulations on Commerce Way
22 from McNulty Road to its terminus further
23 northeastwardly therefrom.

24 MR. TORRENCE: Good morning,
25 Chairman Squilla and members of the

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1 12/3/18 - STREETS - BILL 170517, ETC.
2 Streets and Services Committee. My name
3 is St. Martin Torrence. I'm the Director
4 of Legislative Affairs for the Department
5 of Streets. I'm here to offer testimony
6 on Bill No. 180742.

7 This regulation was posted on
8 October 11th, 2018 as a trial. We have
9 not received any complaints or concern
10 from the surrounding property owners. As
11 such, the Department of Streets has no
12 objections to this bill.

13 Thank you for your time. This
14 concludes my testimony.

15 COUNCILMAN SQUILLA: Thank you.

16 Any questions?

17 (No response.)

18 COUNCILMAN SQUILLA: Seeing
19 none, is there anyone else here to
20 testify on Bill No. 180742?

21 (No response.)

22 COUNCILMAN SQUILLA: Seeing
23 none, thank you.

24 Ms. Kelly, please read the
25 title of the next bill.

1 12/3/18 - STREETS - BILL 170517, ETC.

2 THE CLERK: Bill No. 180910, an
3 ordinance establishing no truck parking
4 and tow-away regulations on both sides of
5 Darnell Road from Decatur Road to Dutton
6 Road.

7 COUNCILMAN SQUILLA: Please
8 proceed.

9 MR. TORRENCE: Good morning,
10 Chairman Squilla and members of the
11 Streets and Services Committee. My name
12 is St. Martin Torrence. I'm the Director
13 of Legislative Affairs for the Department
14 of Streets. I'm here to offer testimony
15 on Bill No. 180910.

16 This regulation was posted on
17 October 24th, 2018 as a trial. We have
18 not received any complaints or concerns
19 from the surrounding property owners. As
20 such, the Department of Streets has no
21 objections to this bill.

22 Thank you for your time. This
23 concludes my testimony.

24 COUNCILMAN SQUILLA: Thank you.
25 Any questions?

1 12/3/18 - STREETS - BILL 170517, ETC.

2 (No response.)

3 COUNCILMAN SQUILLA: Seeing
4 none, anyone else here to testify on Bill
5 No. 180910?

6 (No response.)

7 COUNCILMAN SQUILLA: Seeing
8 none, Ms. Kelly, please read the title of
9 the last bill, please.

10 THE CLERK: Bill No. 170517, an
11 ordinance amending Section 9-605 of The
12 Philadelphia Code, entitled "Towing," by
13 increasing the amount of the fine that a
14 towing company must pay for improper
15 clean-up of an accident scene; all under
16 certain terms and conditions.

17 (Witness approached witness
18 table.)

19 COUNCILMAN SQUILLA: Thank you.
20 Please state your name for the
21 record and proceed with your testimony.

22 MR. WHITE: Good morning,
23 Chairman Squilla, other members of the
24 Committee on Streets and Services. My
25 name is Matt White. I'm an advisor to

1 12/3/18 - STREETS - BILL 170517, ETC.
2 Police Commissioner Ross. On behalf of
3 the Commissioner, I would like to thank
4 the Committee for giving the Police
5 Department the opportunity to voice its
6 opinion regarding Bill No. 170517.

7 The Police Department fully
8 supports this bill. Debris in the
9 roadway of any kind creates a dangerous
10 situation that imperils both life and
11 property. It is negligent and dangerous
12 for the responsible party to fail to
13 remedy debris in the roadway. In the
14 case of automobile accidents involving
15 towing, Section 9-605(4)(d)(5) clearly
16 places the responding tow truck company
17 in the position of responsibility to
18 perform a reasonable clean-up at the
19 scene. This bill serves to emphasize the
20 importance of this clean-up to the towing
21 companies in Philadelphia by increasing
22 the fine from \$100 to \$300.

23 While I cannot supply any data
24 on this topic, I can say from experience
25 as a patrol officer in the City that

1 12/3/18 - STREETS - BILL 170517, ETC.
2 debris from auto accidents affects the
3 safety of citizens and creates a
4 significant risk of unnecessary property
5 damage. Therefore, I offer the full
6 support of the Police Department to this
7 bill.

8 This concludes my testimony.
9 I'd be happy to answer any questions at
10 this time.

11 COUNCILMAN SQUILLA: Thank you
12 for your testimony.

13 Councilman Taubenberger, the
14 sponsor of the bill.

15 COUNCILMAN TAUBENBERGER: Thank
16 you, Mr. Chairman.

17 And, Mr. White, thank you very
18 much for your testimony. Many of the tow
19 operators are contracted by the City, is
20 that correct or not correct, on accident
21 removal?

22 MR. WHITE: So they sign up to
23 be part of the rotational tow program.
24 There are six divisions in the City that
25 each have a rotational tow list, and they

1 12/3/18 - STREETS - BILL 170517, ETC.

2 are dispatched through the --

3 COUNCILMAN TAUBENBERGER:

4 Police radio?

5 MR. WHITE: Through police

6 radio, yes.

7 COUNCILMAN TAUBENBERGER: And
8 it's voluntary? Who ultimately pays them
9 when they pick up a tow?

10 MR. WHITE: I believe they're
11 ultimately paid by the motorists. There
12 are set fees by the ordinance they can
13 charge for the rotational tow.

14 COUNCILMAN TAUBENBERGER: Okay.
15 I mean, I'm the author of the bill. I
16 think it's something that's really
17 needed. I got a number of complaints,
18 but I also then want to ask you on
19 enforcement. So they leave a messy
20 thing, they leave a bumper, they leave
21 something. How is that enforced? The
22 police see that or somebody calls that
23 in?

24 MR. WHITE: I suppose if you go
25 out of the way. So the police will

1 12/3/18 - STREETS - BILL 170517, ETC.
2 generally be responding to these calls as
3 well to take the actual accident report.
4 There's going to be some record of the
5 rotational tow being dispatched to a
6 location. So if there were debris there
7 after the fact, the police have left the
8 scene, I'm sure that --

9 COUNCILMAN TAUBENBERGER: And
10 once they're dispatched by police radio,
11 is that recorded that say we dispatched
12 ABC Towing Company on this date?

13 MR. WHITE: Yes, sir. It's all
14 recorded.

15 COUNCILMAN TAUBENBERGER: So if
16 they leave a mess, we can --

17 MR. WHITE: I believe it would
18 be fairly easy to track down.

19 COUNCILMAN TAUBENBERGER: The
20 last question I have is many times,
21 correct me if I'm wrong, or is this
22 illegal now where the police may call for
23 a tow truck but somebody might already
24 hear that, another tow truck comes there,
25 and then the other tow truck, not the ABC

1 12/3/18 - STREETS - BILL 170517, ETC.

2 company but the whatever company does the
3 tow and they leave the damn mess.

4 MR. WHITE: So the issue of
5 other companies attempting to respond to
6 the tows has been a problem in the past.
7 The rotational tow system is designed
8 such that only the dispatched towing
9 company can take the tow.

10 COUNCILMAN TAUBENBERGER: Oh,
11 really?

12 MR. WHITE: And anyone else
13 that would try to interfere with that
14 would be subject to penalties.

15 COUNCILMAN TAUBENBERGER: Okay.
16 So that matter is resolved. Okay. Very
17 good.

18 Well, Mr. White, thank you very
19 much.

20 And, Mr. Chairman, thank you.

21 COUNCILMAN SQUILLA: Thank you,
22 Councilman Taubenberger. And also too
23 the City is now engaged in a new app for
24 rotational towing that will significantly
25 reduce the number of people who would be

1 12/3/18 - STREETS - BILL 170517, ETC.
2 at the site. So, therefore, the person
3 who does leave the mess would be
4 identified in that app and then the fine
5 would be -- and from what I understand,
6 at least from previously, that when
7 people do leave this mess, even though
8 the tow operator is supposed to clean it
9 up, the City would then come and have to
10 clean it up. It would then be a cost to
11 the City, and that's why the increase in
12 the fine; is that correct?

13 MR. WHITE: That is my
14 understanding as well, sir.

15 COUNCILMAN SQUILLA: Okay.
16 Thank you very much.

17 Are there any other questions?
18 (No response.)

19 COUNCILMAN SQUILLA: Seeing
20 none, is there anyone else here to
21 testify on Bill No. 170517?

22 (No response.)

23 COUNCILMAN SQUILLA: Seeing
24 none, thank you.

25 That will end our hearing. We

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2 now will go into a public meeting.

3 I'd like to recognize

4 Councilman Greenlee to read the title of
5 the bills.

6 COUNCILMAN GREENLEE: Thank
7 you, Mr. Chairman. I move that the
8 following bills be reported out of this
9 Committee with a favorable recommendation
10 and that the rules of Council be
11 suspended to allow first reading at the
12 next session of Council: Bill Nos.
13 180941, 180942, 180995, 180865, 180742,
14 180910, and 170517.

15 (Duly seconded.)

16 COUNCILMAN SQUILLA: The bills
17 have been read into the record and
18 seconded.

19 All in favor?

20 (Aye.)

21 COUNCILMAN SQUILLA: Any
22 opposed?

23 (No response.)

24 COUNCILMAN SQUILLA: The ayes
25 have it. All bills read into the record

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1 12/3/18 - STREETS - BILL 170517, ETC.
2 have been approved with a favorable
3 recommendation with suspension of the
4 rules to be read at the next Council
5 session.

6 Thank you. That will end our
7 Committee hearing.

8 (Committee on Streets and
9 Services concluded at 10:25 a.m.)

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CERTIFICATE

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

MICHELE L. MURPHY
RPR-Notary Public

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