

City Council – June 10, 2004

3 COUNCILMAN CLARKE: Thank you, Madam  
4 President. The Committee on Rules reports 17  
5 bills with a favorable recommendation.

6 COUNCIL PRESIDENT VERNA: Thank you.  
7 The Chief Clerk will please read the report.

8 THE CHIEF CLERK: To the President  
9 and Members of the Council of the City of  
10 Philadelphia, the Committee on Rules to which  
11 was referred ...

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1 06/10/04 – STATED – REPORTS  
2 ordinance amending Title 10 of The  
3 Philadelphia Code entitled "Regulation of  
4 Individual Conduct and Activity" by generally  
5 prohibiting the keeping the certain farm  
6 animals;

June

The next bill to be called for

8 consideration is Bill Number 040566.

9 MS. RAFFERTY: An ordinance amending  
10 Title 10 of The Philadelphia Code by  
11 generally prohibiting the keeping of  
12 certain farm animals, including certain  
13 poultry and livestock, under certain terms

14 and conditions.

15 COUNCIL PRESIDENT VERNA: This bill  
16 having been read on two different days, the  
17 question now is, shall the bill pass  
18 finally.

19 The Clerk will please call the roll.

20 COUNCILMAN RAMOS: Madam President,  
21 point of order.

22 COUNCIL PRESIDENT VERNA: Yes.

23 COUNCILMAN RAMOS: Can I ask my  
24 friend and colleague, Councilman O'Neill,  
25 to... He and I started a conversation<sup>2</sup> before we entered  
chambers.

3 And I was wondering if he can hold  
4 the bill, and maybe we can talk this up a  
5 little bit more, and talk with the Health  
6 Department and see if we can come up to  
7 some agreements on this bill.

8 COUNCILMAN O'NEILL: Madam  
9 President, I thought I had mentioned to you  
10 this morning -- but if I didn't make it  
11 clear I'd like to now -- I think the Health  
12 Commissioner and Health Department are  
13 receptive to amendments, particularly those  
14 that would geographically help areas that  
15 have historically had farm animals,

16 particularly chickens, geese, and ducks,  
17 from a culturally historical background.

18 But the Commissioner had said, if  
19 contacted by Council members about any  
20 geographical amendment, understanding it is  
21 our last session, none of this could take

22 effect until September. 23 COUNCILMAN RAMOS: And that's  
what

24 I'm asking, if you can hold it off. Maybe  
25 we can work out those details. I'm'a get  
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2 you a rooster.

3 COUNCILMAN O'NEILL: If I can  
4 finish. He is... I would ask that -- He  
5 is not going to enforce this bill in any  
6 area where there's an amendment coming  
7 forth over the summer to be introduced in  
8 the fall. But there are areas where people,  
9 particularly in the Bustleton section --  
10 And that's what generated this bill and  
11 this legislation, where people can't open  
12 their windows and their doors to their  
13 house because of the offensive odors. And  
14 it was that the Health Department asked me  
15 to make the bill broader.  
16

17 But at the same time, they recognize

18 there may be some narrowing, particularly  
19 in some areas. And they're not out to over  
20 enforce the bill, if there's amendments  
21 intended on it.

22 So I would ask, if it doesn't pass  
23 today, people will be spending another  
24 summer with odors that are just

25 intolerable. And you wouldn't want and I2 wouldn't want them to  
have to do that.

3 But at the same time, this isn't a  
4 Health Department that wants to run  
5 roughshod over people with a history of  
6 using these animals properly.

7 And I think over the summer we can  
8 work out amendments. But I would ask you  
9 to support the bill in its present form so  
10 that people don't have to wait three months  
11 to get the kind of relief they need.

12 There's no intention to --

13 COUNCILMAN RAMOS: I understand.

14 That I can't do for you because on the  
15 other side of this argument is that there  
16 are people in different parts of the City  
17 that actually take very good care of

18 animals, such as chickens and ducks. 19 And I know of a lady  
-- a group of

20 people that have this nice little place

21 where they have air conditioning. While  
22 they don't have air conditioning inside  
23 their home, they had air conditioning out  
24 there. And the treatment of their -- of  
25 these animals are like pets to them.  
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2 And I think that there's, more  
3 importantly, there's health concerns and we  
4 have to address the health concerns. 5  
submit that you

So, again, I humbly

6 be able to hold up on that bill that we can  
7 tell the Health Department anyone who's  
8 stinking up a neighborhood should be  
9 reported anyway.

10 So, you can always -- we can always  
11 report areas where people are presenting  
12 health hazards, and report them anyway,  
13 instead of making it law.

14 COUNCILMAN O'NEILL: Councilman, I  
15 can only tell you it was the Health  
16 Commissioner in the Health Department that  
17 told me in order to effectively enforce the  
18 situation in Bustleton, which is your area  
19 as well, that they needed this bill.

20 But they are very aware of the kind  
21 of situations you're talking about. I had

22 not heard about the air conditioning, but  
23 certainly had heard some really good  
24 stories about people that are good  
25 neighbors with their farm animals. And 2 there's no intention  
here to affect that.

3 COUNCILMAN RAMOS: My wife won't let  
4 me bring a rooster home to raise, but I'll  
5 be glad to give you one if you want to  
6 raise one.

7 COUNCILMAN O'NEILL: Thank you.  
8 Sorry I can't help you because of the last  
9 session.

10 COUNCILMAN RAMOS: Sorry I can't  
11 help you either on this one.

12 COUNCILMAN O'NEILL: I understand.

13 COUNCIL PRESIDENT VERNA: The Clerk  
14 will please call the roll.

#### THE SAD ENDING

15 MS. RAFFERTY: Councilwoman  
16 Blackwell.

17 COUNCILWOMAN BLACKWELL: No. **Currently a council member**

18 MS. RAFFERTY: Councilman Clarke.

19 COUNCILMAN CLARKE: No. **Currently a council member**

20 MS. RAFFERTY: Councilman Cohen.

21 COUNCILMAN COHEN: No. **No longer on council**

22 MS. RAFFERTY: Councilman DiCicco.

23 COUNCILMAN DiCICCO: Aye. **No longer on council**

24 MS. RAFFERTY: Councilman Goode.

25 COUNCILMAN GOODE: Aye. **Currently a council member**

2 MS. RAFFERTY: Councilman Kelly.

3 COUNCILMAN KELLY: Aye. **No longer on council**

4 MS. RAFFERTY: Councilman Kenney.

5 COUNCILMAN KENNEY: Aye. **Currently a council member**

6 MS. RAFFERTY: Councilwoman

7 Krajewski.

8 COUNCILWOMAN KRAJEWSKI: Aye. **No longer on council**

9 MS. RAFFERTY: Councilman Mariano.

10 COUNCILMAN MARIANO: Can you come

11 back to me on this?

12 (Laughter.)

13 COUNCIL PRESIDENT VERNA: How about

14 half a vote?

15 (Laughter.)

16 COUNCILMAN MARIANO: No. **No longer on council**

17 MS. RAFFERTY: Councilwoman Miller.

18 COUNCILWOMAN MILLER: Aye. **No longer on council**

19 MS. RAFFERTY: Councilman Nutter

20 voting aye. **Currently the Mayor**

21 Councilman O'Neill.

22 COUNCILMAN O'NEILL: Aye. **Currently on council**

23 MS. RAFFERTY: Councilman Ramos.

24 COUNCILMAN RAMOS: No. **No longer on council**

25 MS. RAFFERTY: Councilwoman  
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2 Reynolds–Brown.  
3 COUNCILWOMAN REYNOLDS–BROWN: No. **Currently a council**  
**member**  
4 MS. RAFFERTY: Councilman Rizzo.  
5 COUNCILMAN RIZZO: Aye. **No longer on council**  
MS. RAFFERTY: Councilwoman Tasco.  
7 COUNCILWOMAN TASCO: Aye. **Currently a council member**  
8 MS. RAFFERTY: Council President  
9 Verna.  
10 COUNCIL PRESIDENT VERNA: Aye. **No longer on council**  
11 MS. RAFFERTY: The nays are 6. The  
12 ayes are 11. The bill passes.

#### SUMMARY

**6 No – Blackwell, Clarke and Reynolds–Brown currently on council**

**11 Aye – Goode, Kenney, Nutter, O’Neill, Tasco currently on council**