

**Summary of Proposed Amendments to Chapter 182: Lead Poisoning Prevention and Lead Hazard Control
REVISED November 22, 2021**

The purpose of the City of Lancaster Chapter 182 Lead Poisoning Prevention and Lead Hazard Control is to protect and promote public health, safety and welfare through the identification and elimination of lead source hazards in the built environment. The Department of Community Planning and Economic Development is proposing the following changes to the ordinance.

Expand lead-safe certification requirements

Section	Current ordinance	CONCEPT 1 - Proposed change 9/6	CONCEPT 2 – Proposed change 11/22
Definition of “Targeted Housing”	Requirement that rental dwelling units built before 1978 in which children aged six and under reside or visit are subject to lead safe certification requirements.	Requirement that all rental units built before 1978 are subject to lead safe certification requirements. Certification must be posted in the property with rental license.	At the time of systematic inspection, City Housing Inspectors will conduct an initial assessment of lead-paint risk. Basic assessment will include a visual assessment and basic dust wipe sampling. If property passes the basic assessment, they will receive a LEAD CLEARANCE valid until the next systematic inspection. If property does not pass the basic assessment, they will be required to obtain a LEAD CLEARANCE from a private company. Properties who can obtain a “Lead Free Certification” from licensed inspector will be exempt from the requirement.
Definition of “Targeted Housing”	“Dwelling units owned by the Lancaster City Housing Authority or its subsidiaries” are exempt from providing lead-safe certification.	Remove exception for “Dwelling units owned by the Lancaster City Housing Authority or its subsidiaries” and require Lancaster City Housing Authority to provide lead-safe certification to the City every two years.	No additional changes. Changes above will apply to LCHA properties.
182-10	Require proposed day care facilities/centers to obtain lead-safe certification prior to opening.	Require day care facilities/centers to maintain lead-safe certification and	No additional changes.

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		provide certification to the City every two years.	
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Strengthen Elevated Blood Lead Level (EBLL) case response

Section	Current ordinance	CONCEPT 1 - Proposed change 9/6	CONCEPT 2 – Proposed change 11/22
182-6	No specific components of risk assessment listed.	Add requirements for lead risk assessment in residences with EBLL to include lead paint testing and bare soil samples and include results in the report.	No additional changes.
182-7	Health Officers do not have explicit authority to condemn a property as unsafe for children 6 and under as necessary when a child has an EBLL.	Give Health Officers the explicit authority to condemn a property as unsafe for children 6 and under as necessary when a child has an EBLL. Specifically, children undergoing chelation must immediately be removed from the dwelling and relocated.	Give Health Officers the explicit authority to issue an order of removal for the child with an EBLL of 45 micrograms per deciliter, results of an environmental investigation, and following recommendations of a physician.
182-7 B	The owner and/or authorized agent of any dwelling unit in which the affected individual (person with lead poisoning) resides or visits is required to submit, within 21 days, a written risk assessment report including the results of testing and an environmental investigation stating whether there exists a health hazard under this chapter.	An environmental investigation for EBLLs will be performed or ordered by the City automatically, without requiring an order from the property owner.	Property owners will be given 72 hours to arrange for an environmental investigation and the investigation must be completed within 10 days. An environmental investigation for EBLLs will be ordered by the City and billed to the property owner if the investigation is not complete and submitted by the 10 th day. The City will establish a contract with a private company to conduct the environmental investigation if ordered by the City.

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182-7 D	Language is not clear that landlords are responsible for mitigation and costs associated.	Add language requiring landlord to have the lead hazard mitigated as well as have the property pass a clearance examination, and that the property owner will bear all expenses for the lead mitigation and clearance examination.	No additional changes.
182-7 F	Unacceptable lead level is set at less than 10% of the total component or less than square feet on exterior surfaces, and less than two square feet in any one interior room.	Remove de' minimus requirements <u>in houses with a documented EBLL case</u> ; do not allow any lead levels to be acceptable.	No additional changes.

Definition changes

Section	Current ordinance	CONCEPT 1 - Proposed change 9/6	CONCEPT 2 – Proposed change 11/22
Definition of "Lead Contaminated Dust"	Surface dust that contains a mass per area concentration of lead equal to or exceeding 40 micrograms per square foot on floors, 250 micrograms per square foot on interior windowsills... or such other lesser level of lead used in EPA regulations..."	Surface dust that contains a mass per area concentration of lead equal to or exceeding 10 micrograms per square foot on floors, 100 micrograms per square foot on interior windowsills... or such other lesser level of lead used in EPA regulations..."	No additional changes.
Definitions	No definitions of "Deteriorated Paint," "Bare Soil," and "Common Area."	Add definitions of "Deteriorated Paint," "Bare Soil," and "Common Area."	No additional changes.

Strengthen community, landlord, and tenant education

Add education	Current ordinance has no enforceable education requirements.	No changes recommended.	Add an evidenced-based education requirement to the ordinance and/or to
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component to ordinance			standard operating procedures after evaluating effective methods. Note: Regardless of any ordinance changes, the City is committed to community education throughout 2022 to prepare for 2023 legislative changes.
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