

Safe and Healthy Housing in the City of Lancaster

Updating relevant ordinances

Chapter 182: Lead Poisoning Prevention and Lead Hazard Control

Chapter 238: Rental Property

DEPARTMENT OF COMMUNITY PLANNING AND ECONOMIC
DEVELOPMENT

FEBRUARY 7, 2022

Presentation Outline

- Purpose of Legislation
- Overview of City Housing Stock
- Community Engagement
- Proposed legislative changes
 - Chapter 182: Lead Poisoning Prevention and Lead Hazard Control
 - Chapter 238: Rental Property

Purpose of Legislation

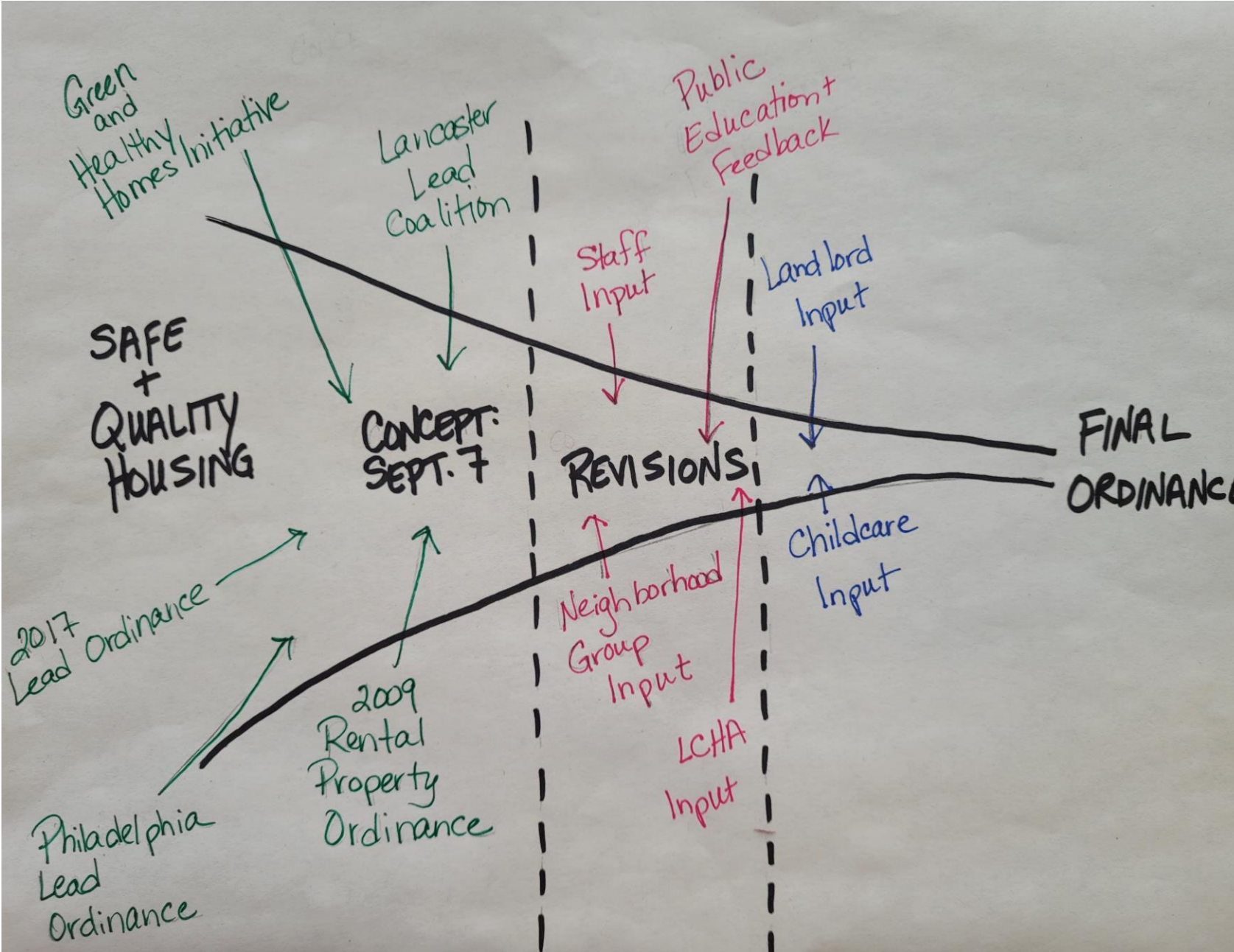
1. Enhance lead safety protections in rental housing
2. Focus City and community resources on highest risk properties
3. Minimize costs and administrative burden on landlords while upholding improved standards
4. Act more quickly to remove children with Elevated Blood Lead Level (EBLL) from a hazardous situation

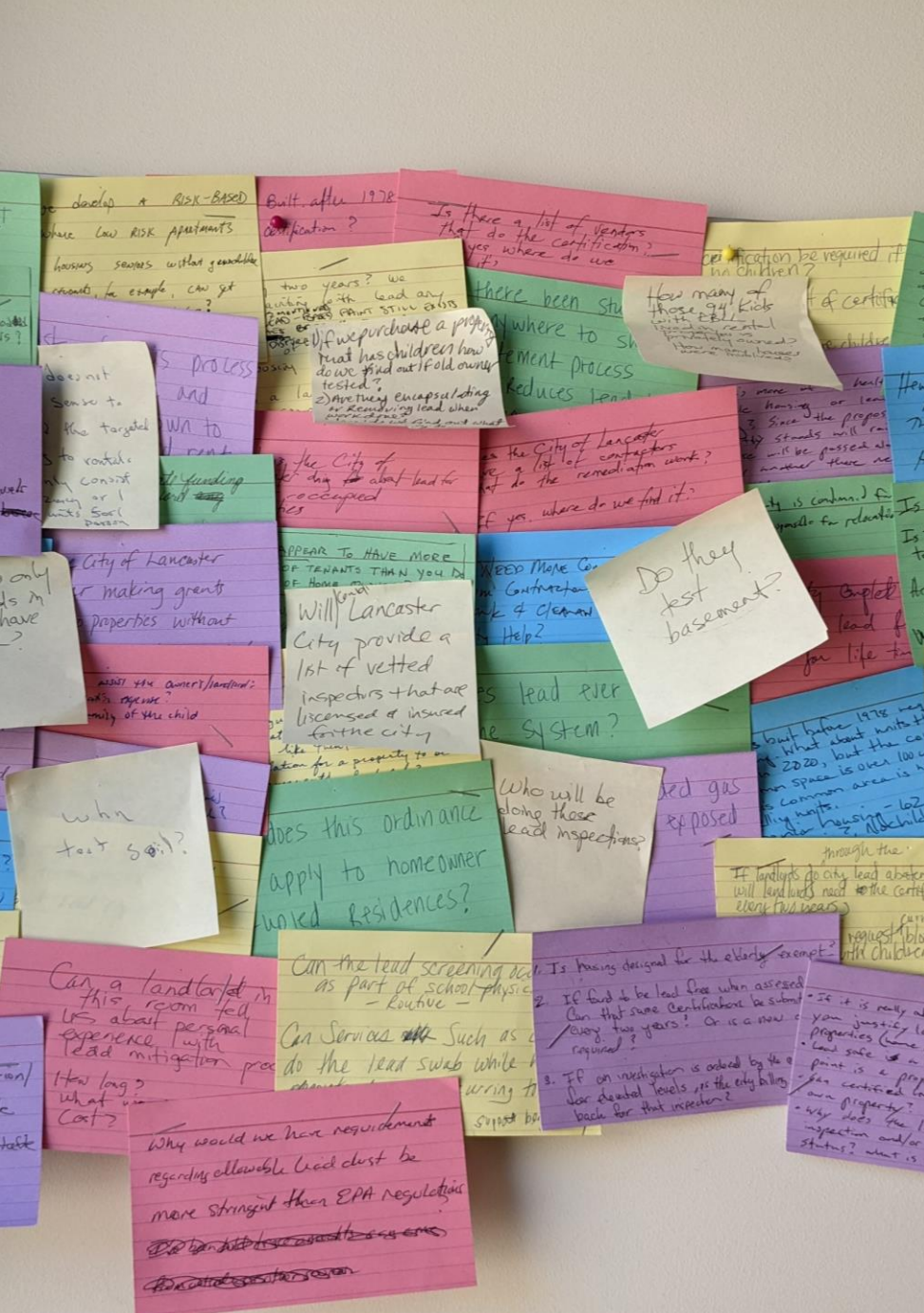
Rental Households

- 22,000 total households
 - 12,000 (54.4%) rental
 - 10,000 (45.6%) owner-occupied

- Approximately 10,700 households living in rental units with potential lead hazard

Community feedback process





Community Engagement

<https://www.cityoflancasterpa.com/rental-ordinance-change/>

2018-2021: Research and concept development

Website
Jotform feedback

9/7/21 - Council Committee Presentation

Other meetings with key stakeholders:

10/12/21 – Meeting with Magisterial District Judges

Lancaster General Health
Neighborhood groups

10/25/21– 1st landlord meeting

Lancaster City Housing Authority

10/28/21– Childcare provider meeting

Staff
Lead Risk Assessors and Contractors

12/2/21 – 2nd landlord meeting

Other municipalities

Chapter 182: Lead Poisoning Prevention and Lead Hazard Control

Why is it important to prevent childhood exposure to lead-based paint hazards?

- Damage to the brain and nervous system
- Slowed growth and development
- Learning and behavior problems
- Hearing and speech problems

The negative health effects of lead have no cure and are not reversible.

Summary of primary proposed changes to Chapter 182 of the City Code: Lead Poisoning Prevention and Lead Hazard Control

Expand lead-safe certification requirements

1. Require all rental properties built prior to 1978 to obtain a risk assessment and a lead-safe certification within 30 days of every systematic rental inspection.
 - a. Property will be exempt from this requirement if they pass a **Lead Hazard Evaluation** by a City Housing Inspector at the time of systematic rental inspection
2. Require all child-care providers to maintain lead-safe certification every two years
3. Require all Lancaster City Housing Authority properties demonstrate to compliance with HUD's existing lead-safe housing rule

Criteria to pass Lead Hazard Evaluation by City Housing Inspector

To be issued a “Low Lead Risk” designation at the time of systematic inspection:

1. Pre-1978 **windows and casings** are replaced.
2. There is **no evidence of chipping or peeling paint** anywhere on the property, internally or externally.
3. There is **no evidence of door friction** on any pre-1978 doors or door jams.
4. There is **no evidence of exposed lead-based paint on any stairs**.
5. There is **no bare soil** on the property.
6. There is **no construction debris** in the interior or exterior of the house.
7. Evaluated **dust wipe samples** do not contain lead-contaminated dust as defined in this ordinance.



Property is issued a “lead low-risk” designation by the City Housing Inspector.
It will be valid until the time of the next systematic inspection.

Property will NOT be issued a “Low Lead Risk” stautus

- If any component of the visual assessment fails
- OR
- Dust wipes demonstrate lead dust above acceptable EPA levels



City will require signed lead-safe certification by a licensed lead risk assessor or licensed lead risk inspector within 30 days of the NOV.

Strengthen EBLL case response

1. Reduce the time for case response to better protect children
 - Property owner will be given 72 hours to arrange for an environmental investigation for an EBLL
 - Property owner will be given 10 days to complete the environmental investigation
 - If these conditions are not met will the City order the environmental investigation; property owner will be responsible for this expense.

2. Give Health Officers the explicit authority to remove a child from the property that is causing the lead poisoning.
 - The child and at least one parent/guardian will be relocated at the expense of landlord.
 - The order will not remove the child from the family; rather they will not be permitted to stay in the property causing lead poisoning.

Chapter 238 of the City Code: Rental Property

1. Issue 2-year rental licenses starting in 2023
2. Authorize the development of policies and procedures to assure that rental properties are regularly scheduled for systematic inspections, no more frequently than once every two years and no less frequently than once every six years
3. Increase rental licensee fee by \$75 per year to incorporate cost of Housing Inspector lead hazard evaluation into rental license fee.
4. Incorporate lead hazard control changes
5. Establish random sampling process for multi-unit properties.

Revised proposal addresses community concerns

1. Focus on high-risk properties and don't waste resources on low-risk properties.
2. Reduce cost to the community while still preventing lead poisoning
3. Ensure landlord and tenant education

Community Resources: \$60 million



Conclusion and Council Questions

THANK YOU!