

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **ORDER OF THE BOARD OF ALDERS** Amending the New Haven Lead Paint Ordinance and setting forth the framework for the Health Department to conduct preventive inspections of housing units where young children reside for greater cohesion with the State of Connecticut Department of Public Health lead statutes and regulations. (Submitted By: Roslyn Hamilton of the New Haven Health Department)

REPORT: 1560-14

ADVICE: The Commission finds it in the best interest of the City for the Board of Alders to re-examine the New Haven Lead Paint Ordinance.

BACKGROUND

The New Haven Department of Health has the authority to conduct epidemiological investigations to determine the cause of elevated lead levels in children under six years of age and to require mitigative action to reduce exposure to lead. These ordinance revisions are intended to improve, clarify and strengthen the framework for the Health Department to act in this capacity and to enforce mitigation.

The ordinance text amendments include the following:

- Clarification of the physical aspects of lead paint hazards with regards to the condition of premises.
- Clarification of the scope of lead management plans.
- Preventative outreach, information and education regarding lead hazards.
- Defining actionable blood lead level as 5 m/dl.
- Authority to require landlords to partner in prevention of child exposure and to improve safety.
- Increase in number of lead inspectors.
- Provision to enable warrant to inspect premises.
- Provision to require emergency relocation
- Amendments to the Lead Poisoning Advisory Committee.

PLANNING CONSIDERATIONS

The Ordinance revisions seek to improve, clarify and strengthen the Lead Paint Ordinance. This is a high-profile public health issue which has involved recent litigation and comprehensive amendments to the city's daily work program. While the Commission has not undertaken a line-by-line analysis of the proposed amendments and is not technically equipped to comment on the technical aspects of the amendment, the Commission is supportive of the Community Services Administration, which includes the Health Department (as well as the working group formed in advance of the formal installation of the advisory committee), in their efforts to retool and improve the program. Understanding the wide-ranging impacts of lead-based paint hazards and understanding the majority of New Haven's housing stock was built prior to the prohibition of lead paint, the Commission acknowledges the significance and timeliness of these revisions. According to the current New Haven Consolidated Plan, the age of New Haven's housing stock is an indicator of potential lead-based paint hazard, as shown in Table 37 of the plan:

Risk of Lead-Based Paint Hazard

Risk of Lead-Based Paint Hazard	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
Total Number of Units Built Before 1980	12,852	84%	28,677	85%
Housing Units build before 1980 with children present	305	2%	830	2%

Table 37 – Risk of Lead-Based Paint

Data Source: 2007-2011 ACS (Total Units) 2007-2011 CHAS (Units with Children present)

As part of this review of the program, including the ordinance amendments and increases in staffing (separate budget transfer communication), the Commission encourages the Health Department and Board of Alders to continue to look at the program comprehensively. This would entail a review of staffing for emergency relocation and resources available for rehabilitation programs (recognizing that many New Haven families cannot afford to undertake a costly abatement effort). The Commission likewise notes that the attached fiscal impact statement indicates there will be a one-time expense of \$75,000 and an ongoing annual expense of \$41,000. The latter is offset by \$47,000 in revenue. The Board is encouraged to review proposed sources and uses of funding (not shown on the statement) as they relate to existing budget resources and the above-mentioned budget transfer to add new staff and support the program.

ADVICE

The Commission finds it in the best interest of the City for the Board of Alders to re-examine the New Haven Lead Paint Ordinance.

ADOPTED: August 21, 2019
Leslie Radcliffe
Vice Chair

ATTEST: 
Aicha Woods
Executive Director, City Plan Department