



Legislation Text

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Int. No. 750

By Council Members Ayala, Sanchez, Restler, Joseph, Williams, Hudson, Avilés, Gennaro, Hanif, Brewer, Abreu, Brooks-Powers, Gutiérrez, Cabán, Krishnan, Marte, Won, De La Rosa, Narcisse, Farías, Barron, Richardson Jordan, Riley, Schulman, Ossé, Louis and Rivera

A Local Law to amend the administrative code of the city of New York, in relation to the proactive identification and inspection of dwellings where children are at risk of lead poisoning

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of Chapter 2 of title 27 of the administrative code of the city of New York, is amended by adding a new section 27-2056.19 to read as follows:

§ 27-2056.19 Inspections to determine the presence of lead based paint hazards. a. The department, in coordination with the department of health and mental hygiene, shall establish a program to identify and inspect at least 200 multiple dwellings each fiscal year where children reside and where there is a risk of exposure to lead-based paint hazards.

b. Any inspection of a multiple dwelling unit required pursuant to this section shall be conducted notwithstanding any other lead inspection requirements pursuant to title 17 or title 27 of the code or of any rule that addresses lead-based paint hazards or unsafe lead paint in multiple dwellings, unless such dwelling unit was inspected for lead-based paint hazards within the preceding 5 years and any such hazards were abated.

c. Any inspection required pursuant to this section shall include an inspection of the dwelling unit for lead-based paint hazards or unsafe lead paint, as applicable, including analysis by an x-ray fluorescence analyzer, in accordance with subdivision (7) of section 27-2056.2, of all friction surfaces, chewable surfaces, peeling paint, deteriorated subsurfaces and impact surfaces as such terms are defined in section 27-2056.2.

d. In determining the multiple dwelling units that shall be inspected pursuant to this section the department shall consider, but not be limited to, the following factors:

1. A multiple dwelling's history of orders of abatement issued pursuant to subsection d of section 173.13 of the health code or a successor rule that addresses the abatement of lead hazards;

2. The relative prevalence of lead poisoning within the community district where a multiple dwelling is located; and

3. The prevalence and frequency of violations of title 27 of the code, in such multiple dwelling that could cause exposure to lead-based paint or lead dust through the deterioration of lead-based painted surfaces.

e. In the event an inspection by the department, pursuant to this section, finds any lead-based paint hazards or unsafe lead paint on any surfaces, the department shall order the correction of such conditions pursuant to the requirements of the New York city health code.

§ 2. This local law takes effect 180 days after it becomes law.

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