

[Lead Hazard Reduction Citizens Advisory Committee Amendment]

AMENDING SECTION 1608 OF PART II, CHAPTER IV, OF THE SAN FRANCISCO MUNICIPAL CODE (HEALTH CODE) TO DELETE SUBPARAGRAPH 1608(b)(13); AMENDING SUBSECTION 1608(b) TO CORRECT THE NUMBER OF COMMITTEE MEMBERS; RENUMBERING SUBPARAGRAPHS 1608(b)(14) & (15); AMENDING SECTION 1608(b)(15) TO CLARIFY THE INTENT OF THE BOARD THAT EX OFFICIO MEMBERS ARE NON-VOTING MEMBERS OF THE COMMITTEE AND WHOSE NUMBER IS NOT TO BE CONSIDERED IN DETERMINING THE QUORUM OF THE COMMITTEE; AND AMENDING SUBPARAGRAPHS 1608(g)(2)(C) & (D) TO MAKE MINOR TYPOGRAPHICAL CORRECTIONS.

Note: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 26 of the San Francisco Health Code is hereby amended by amending Section 1608, to read as follows:

**SEC. 1608. LEAD HAZARD REDUCTION CITIZENS ADVISORY COMMITTEE.**

(a) There is hereby established a Lead Hazard Reduction Citizens Advisory Committee (hereafter, the "Advisory Committee") of the City and County of San Francisco. The Advisory Committee shall (i) recommend to the Board of Supervisors a range of options for a lead hazard reduction program for residential dwelling units, and (ii) provide consultation and assistance to the Director upon the Director's request with respect to the implementation of those provisions when they become effective. The Advisory Committee shall submit a report to the Board of Supervisors within one year of the effective date of this ordinance and annually thereafter. The report shall at a minimum include recommendations on the following matters:

- (1) Acceptable levels of exposure to various sources of lead;

1           (2)    The circumstances under which responsible parties must reduce lead  
2 exposure hazards to avoid imminent hazards and potential health risks to persons;

3           (3)    A priority-based schedule of classes of dwelling units and premises  
4 where owners or operators must reduce lead hazards based on various factors, such as the  
5 age and condition of a building, and the age of the occupants;

6           (4)    Provisions to insure that occupants are relocated to lead-safe housing  
7 during lead hazard reduction activities where necessary;

8           (5)    Acceptable lead hazard reduction methods;

9           (6)    Containment and cleanup measures to be taken as part of the lead  
10 hazard reduction activities;

11          (7)    Occupational safety and health provisions for inspectors, contractors,  
12 supervisors, workers and other persons who perform lead hazard reduction;

13          (8)    Provisions to protect the health and safety of occupants, neighbors and  
14 the public from exposure to lead during lead hazard reduction activities;

15          (9)    Provisions for insuring safe disposal of lead-contaminated waste;

16          (10)   The qualifications necessary for any person (contractors, supervisors,  
17 consultants, and workers) to perform lead hazard work

18          (11)   Assess the extent of the need to implement lead hazard reduction efforts,  
19 the potential impact of alternative lead hazard reduction measures on tenants and landlords,  
20 and the most effective way to implement the program to reduce lead hazard risks;

21          (12)   Provide advice to the Mayor's Office with respect to the development of  
22 proposed incentive programs pursuant to Section 1634 when the Mayor's Office requests  
23 such assistance;

24          (13)   Appropriate financing mechanisms for any proposals recommended.  
25

(b) The Advisory Committee shall consist of ((21)) 20 members appointed by the Board of Supervisors. The members shall consist of representatives, or their designee, from each of the following categories:

- (1) Affordable housing developers: One representative;
- (2) Bureau of Building Inspection: One representative;
- (3) Painting contractors: Two representatives;
- (4) Building trade: One representative;
- (5) Child care: One representative;
- (6) Mayor's Office: One representative involved in housing and community development issues;
- (7) Public interest organization: One representative;
- (8) Residential owners: Two representatives;
- (9) Tenant organizations: Three representatives;
- (10) Testing expert: One representative;
- (11) Abatement expert: One representative;
- (12) Financial expert: One representative;
- (( (13) Physician: One representative;))
- (13 ((14)) ) Parent: One representative;
- (14 ((15)) ) United States Environmental Protection Agency, CAL/OSHA, San Francisco Housing Authority: Three representatives; one from each agency to serve as ex officio, non-voting members who shall not be counted in determining the quorum for the Advisory Committee.

The Director, or his or her designee, shall attend all meetings of the Advisory Committee.

**\*\*SUPERVISOR BIERMAN\*\***  
**BOARD OF SUPERVISORS**

1 (c) Members of the Committee shall serve without compensation or reimbursement  
2 for expenses. In the event a vacancy occurs, the Board of Supervisors shall appoint a  
3 successor from the same category.

4 (d) At the initial meeting of the Advisory Committee, and yearly, thereafter, the  
5 Advisory Committee members shall select such officers deemed necessary by the Advisory  
6 Committee. The Advisory Committee shall establish rules and regulations for its own  
7 organization and procedure and shall meet when necessary as determined by the Advisory  
8 Committee. All meetings shall, except as provided by general law, be open to the public.

9 (e) The establishment of the Lead Hazard Reduction Committee is not intended to  
10 limit the efforts currently engaged in by City departments to reduce the risks of exposure to  
11 lead.

12 (f) The Director shall provide clerical assistance to the Lead Hazard Reduction  
13 Citizens Advisory Committee and its subcommittees.

14 (g) The Director and the Advisory Committee shall take the following actions to  
15 address lead hazards in dwelling units subject to inspection under Section 1626.

16 (1) The Director shall draft Proposed Interim Lead Hazard Reduction  
17 Guidelines designed to assist the Advisory Committee in its presentation under Section  
18 1608(g)(2), and present them to the Advisory Committee at its first meeting.

19 (2) Within six months after the effective date of this Section, the Advisory  
20 Committee shall present Final Interim Lead Hazard Reduction Guidelines ("Interim  
21 Guidelines"), including any changes recommended by the Advisory Committee, to the Board  
22 of Supervisors in the form of a draft ordinance. The Interim Guidelines shall be designed to be  
23 effective pending enactment of any ordinance based on the Advisory Committee's  
24 recommendations under Section 1608(a).

1                   (3)     The Interim Guidelines shall be developed in accordance with sound  
2 medical practice and current technical knowledge, and include at least the following:

3                   (A)     Procedures requiring the owner of a dwelling inspected pursuant to  
4 Section 1626 to reduce lead hazards;

5                   (B)     The amount or concentration of lead that creates a threat of cases  
6 of childhood lead poisoning, and the allowable means of detection;

7                   (C)     The surfaces where lead hazard reduction must be performed, ((  
8 These surfaces)) shall include areas accessible to children and areas where the condition of  
9 the paint, plaster or other surface covering is deteriorating and resulting in accessibility of lead  
10 paint to children;

11                  (D)     Acceptable methods of lead hazard reduction prescribing the  
12 removal or adequate covering of lead-based paint. Repainting with common non-lead-based  
13 paint, or covering with easily removable materials shall not constitute acceptable methods of  
14 lead hazard reduction. Acceptable methods shall prohibit reduction techniques that ((which))  
15 may damage the health of residents, neighbors or workers. Acceptable methods shall include  
16 cleanup and containment procedures;

17                  (E)     Procedures for inspections after lead hazard reduction work is  
18 completed, and for certification that lead hazards have been reduced in accordance with the  
19 Interim Guidelines;

20                  (F)     Procedures requiring notice of the risks of lead paint hazards to  
21 tenants, purchasers of real estate, and purchasers of home improvement products. The  
22 committee shall consider, among other matters it deems appropriate, how to define tenants,  
23 whether tenants in certain buildings (such as those newly constructed) need not receive  
24 notice; how and when the notice can be disseminated effectively and economically; whether  
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1 the notice shall be posted in stores selling building materials and hardware; whether the  
2 notice shall be required in real estate transactions; and the content of the notice.

3 (4) Within six months after the effective date of this Section, the Advisory  
4 Committee shall propose legislation to the Board of Supervisors amending Chapter 37 of the  
5 San Francisco Administrative Code, the Residential Rent Stabilization and Arbitration  
6 Ordinance, to provide whether and under what circumstances the costs of lead hazard  
7 reduction may be passed on to tenants, and further to provide protection against permanent  
8 displacement of tenants due to lead hazard reduction.

9 (h) Members of the Lead Hazard Reduction Citizens Advisory Committee shall be  
10 appointed for a term of four years; provided, however, that the 23 members first appointed  
11 shall, by lot at the first meeting, classify their terms so that seven shall serve for a term of two  
12 years, eight shall serve for a term of three years, and eight shall serve for a term of four years.

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14 APPROVED AS TO FORM:

15 LOUISE H. RENNE, City Attorney

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18 By:



19 WILLIAM CHAN  
20 Deputy City Attorney  
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\*\*SUPERVISOR BIERMAN\*\*  
BOARD OF SUPERVISORS



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails

## Ordinance

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**File Number:** 990137

**Date Passed:**

Ordinance amending Health Code Section 1608 to delete subparagraph 1608(b)(13); to correct the number of committee members; renumbering subparagraphs 1608(b)(14) and (15); to clarify the intent of the Board that ex officio members are non-voting members of the committee and whose number is not to be considered in determining the quorum of the committee; and to make minor typographical corrections.

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March 8, 1999 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee

Absent: 1 - Teng

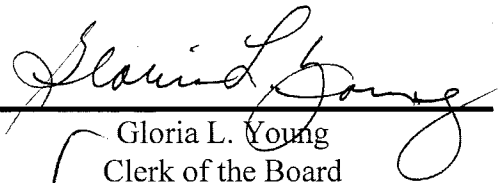
March 15, 1999 Board of Supervisors — FINALLY PASSED

Ayes: 6 - Ammiano, Brown, Leno, Newsom, Teng, Yee

Absent: 5 - Becerril, Bierman, Katz, Kaufman, Yaki

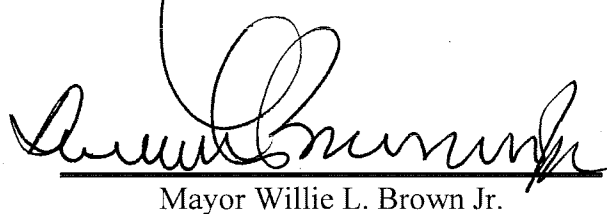
File No. 990137

I hereby certify that the foregoing Ordinance  
was **FINALLY PASSED** on March 15, 1999  
by the Board of Supervisors of the City and  
County of San Francisco.

  
Gloria L. Young  
Clerk of the Board

**MAR 26 1999**

**Date Approved**

  
Mayor Willie L. Brown Jr.