

**CITY OF BALTIMORE
COUNCIL BILL 16-0280R
(Resolution)**

Introduced by: Councilmember Clarke, President Young, Councilmembers Curran, Scott, Costello, Middleton, Henry, Stokes, Kraft, Welch, Mosby, Holton, Branch, Spector, Reisinger

Introduced and read first time: January 11, 2016

Assigned to: Education and Youth Committee

Committee Report: Favorable

Adopted: February 8, 2016

A COUNCIL RESOLUTION CONCERNING

Investigative Hearing – Lead Paint Poisoning and Baltimore’s Children

FOR the purpose of assessing the status and accelerating the pace of eradicating lead paint poisoning in Baltimore City and Maryland as a whole and working to achieve consensus on the coordinated roles and investments required to spare Baltimore’s families and children from another generation of this devastating and preventable disease.

Recitals

Banned in Baltimore in 1950 and by the federal government in 1978, lead paint still remains in hundreds of Baltimore City rental units, infecting young children when it deteriorates and children ingest or absorb lead particles or dust, for example, by sucking their fingers after touching a lead dust surface.

As described in The Baltimore Sun’s report of December 6, 2015 (“Kids still falling through cracks”), “Even a minute dose can subtly damage a young child’s developing brain and nervous system, studies show, making it harder for the child to learn to read, think, and retain information. Lead poisoning can also make it harder for a youngster to sit still, and make the child more prone to act out. Studies have found poisoned children are more likely to struggle in school and to get in trouble, both as juveniles and adults.” Children under 6 years old are the most vulnerable to lead poisoning and its effects.

Thanks to 1994 State legislation and the intensified collaboration between the Maryland Department of the Environment (MDE) and Baltimore’s Health and Housing departments --- and advocacy groups such as Baltimore’s Green & Healthy Homes Initiative --- lead poisoning is less common than in the past, with new City cases dropping by 86% since 2002.

That 1994 law requires annual rental unit registrations; and, inspections, certifications, and public posting to confirm a unit’s lead-safe status before rental to households with children. During tenancy, landlords are required to maintain the lead-safe status and provide temporary relocation if remediation is needed.

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter stricken by amendment.

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1 Despite dedicated leadership and personnel, the State’s watchdog function and coordination
2 with City agencies are compromised by limited personnel and inadequate database backup.
3 MDE has fewer than a dozen inspectors to inspect 400,000 rental units throughout Maryland.
4 Various databases lack coordination, making online tracking difficult. Rental unit registrations
5 are lagging. City Housing inspection and code enforcement partner with MDE for lead paint
6 compliance in Baltimore City, but the system is overwhelmed, reduced to responding to
7 complaints in lieu of pro-active and systematic enforcement.

8 One major additional concern is that, although no level of lead paint poisoning is without
9 irreversible and lifelong physical and emotional effects, the legal level for lead poisoning in
10 Maryland is 10 micrograms per deciliter (10ug/dL). As MDE reports, however, more than 1,000
11 Baltimore children tested between 5 and 9 micrograms per deciliter in 2013. The first 10ug/dL’s
12 are the most damaging, and these poisoned children are below the radar screen of an already
13 overwhelmed system.

14 There are signs of encouragement. Governor Larry Hogan is launching an “early warning
15 system,” urging medical providers to conduct blood tests for lead poisoning on all 1-and
16 2-year-olds in Maryland. Only 20% are tested now. MDE is reaching out to engage City faith
17 and higher education leaders in promoting this early testing and effective follow-up.

18 We urge the State to make that follow-up “effective” by revising its “trigger” lead level for
19 enforcement to at least the 5ug/dL cited by the U.S. Centers for Disease Control and Prevention
20 (CDC). We likewise urge a major increase of State MDE funding to achieve personnel and data
21 capacity sufficient to enforce the lead paint poisoning law effectively for the existing and
22 hopefully expanded cohort of victims identified.

23 From the homefront, we ask our Baltimore City Housing, Health and non-profit
24 representatives to meet with the City Council and help us involve our State MDE partners and
25 Baltimore City families affected by lead paint poisoning in a dialogue to discuss the status of
26 efforts to eradicate lead paint poisoning within a time certain and the specific financial and
27 personnel resources required to do so at the local and State levels.

28 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the
29 Council calls for a hearing to assesses the status, and accelerate the pace, of eradicating lead paint
30 poisoning in Baltimore City and Maryland as a whole while encouraging efforts to achieve
31 consensus on the coordinated roles and investments required to spare Baltimore’s families and
32 children from another generation of this devastating and preventable disease.

33 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, the
34 Governor, the Health Commissioner, the Deputy Housing Commissioner for Green, Healthy, and
35 Sustainable Homes, the Deputy Director of the Maryland Department of the Environment’s
36 Office of Communications, the Deputy Secretary for Regulatory Programs & Policy in the
37 Maryland Department of the Environment, the Baltimore City Delegation to the Maryland
38 General Assembly, the President & CEO of the Green & Healthy Homes Initiative, the Director
39 of the Mt. Washington Pediatric Hospital, the Legislative Committee Chair of the Maryland
40 Multi Housing Association, and the Mayor’s Legislative Liaison to the City Council.