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TO: Detroit City Council

FROM: David Whitaker, Director 
Legislative Policy Division

DATE: February 18, 2021

RE: **Lead Abatement**

Council Member Benson directed the Legislative Policy Division (LPD) to revise a proposed resolution provided by lead abatement activists for adoption by City Council. The draft resolution is attached.

If Council requests additional research or analysis regarding these issues, LPD will be happy to provide same.

RESOLUTION SUPPORTING IMPLEMENTATION OF LEAD ABATEMENT LAWS, AND ELIMINATION OF CHILDHOOD BLOOD LEAD POISONING

By Council Member Scott Benson

Whereas, Detroit City Council has long been on record strongly supporting lead abatement and public health, including passing the Detroit Property Maintenance Code (DPMC) Rental Ordinance to “get the lead out” of Detroit residential housing; and

Whereas, Detroit City Council continues to fight for the rights of Detroit children to have the best opportunity to grow and thrive free from the toxic legacy of childhood lead poisoning; and

Whereas, Far too many children under the age of 6 living in Detroit have inordinately high levels of lead in their blood; and

Whereas, In seven Detroit zip codes over 10% of children are considered ‘lead poisoned’ because of the concentration of lead in their blood - although it should always be remembered and stated that no level of lead in children’s blood is “safe” - and in zip code 48206 18% of children tested were lead poisoned, while statewide the incidence is just 2.9%; and

Whereas, In spite of these high rates of child blood lead levels in Detroit, only 34% of Detroit’s children under 6 were tested for lead in their blood in 2018, according to the most recent available MDHHS Data; and

Whereas, Lead poisoning in children causes life-long deficits including: decreased cognitive capacity, slowed learning, impaired hearing and speech, impulse control, and tendencies towards ADHD; and

Whereas, Children who have experienced lead poisoning are 7 times more likely to drop out of high school and 4 times more likely to enter the criminal justice system; and

Whereas, The preponderance of older, deteriorating housing stock in Detroit (90% built before 1980) makes the danger of ingesting lead through normal childhood hand-to-mouth contact involving paint and lead-contaminated dust a health crisis; and

Whereas, The Michigan Department of Health and Human Services has correctly stated that “No amount of lead in the body is considered safe”; and

Whereas, The Lead Renovation, Repair, Painting Program (RRP) rule issued by the Environmental Protection Agency (EPA) in 2010 requires that contractors must be certified and follow specific work practices to prevent lead contamination when performing renovation, repair and painting projects that disturb lead-based paint in pre-1978 homes, child care facilities, and schools; and

Whereas, The parents of Detroit Lead Advocacy Parent Group DLEAD urgently calls for improved education, policies, funding, and enforcement on lead issues; and

NOW THEREFORE LET IT BE RESOLVED THAT Detroit City Council implores all concerned individuals, groups and agencies of the City of Detroit that the City of Detroit shall work so that universal lead testing is implemented for all Detroit children. No child in Detroit or Michigan should be left vulnerable to the impacts of lead poisoning and all children should be tested for lead exposure; and

LET IT BE FURTHER RESOLVED THAT Detroit City Council calls for aggressive enforcement of the Detroit Property Maintenance Code (DPMC) Rental Ordinance by the Buildings, Safety Engineering and Environmental Department (BSEED), including but not limited to bringing staff levels up to full capacity. With the DPMC Ordinance strongly in place and implemented, landlords must be held responsible for making sure their properties are lead safe and cleared for families to rent safe housing; and

LET IT BE FURTHER RESOLVED THAT Detroit City Council will seek increased funding that shall be made available from federal, state and other sources of funding for post-Covid relief public health initiatives or any and all other available sources for the Detroit Health Department for lead prevention activities, because all parents, landlords and others should have the opportunity to learn of the health risks posed by lead in the home and be given resources to reduce or eliminate this threat; and

LET IT BE FURTHER RESOLVED THAT Detroit City Council urges that data sharing shall be implemented so that all partners throughout the City of Detroit, Wayne County and State of Michigan can better coordinate prevention and lead remediation services; and

LET IT BE FURTHER RESOLVED THAT Detroit City Council demands enhanced enforcement of the Lead Renovation, Repair, Painting Program (RRP Rule) shall take place by the EPA and the State of Michigan to ensure that projects by contractors that disturb lead-based paint will be done with lead safe practices proven to reduce lead exposure; and

LET IT BE FINALLY RESOLVED THAT Copies of this resolution shall be delivered to Mayor Duggan, Governor Whitmer, the Detroit delegation to the Michigan State legislature, Detroit's federal congressional representatives and senators, CLEARCorps Detroit and other interested members of the public and the news media.